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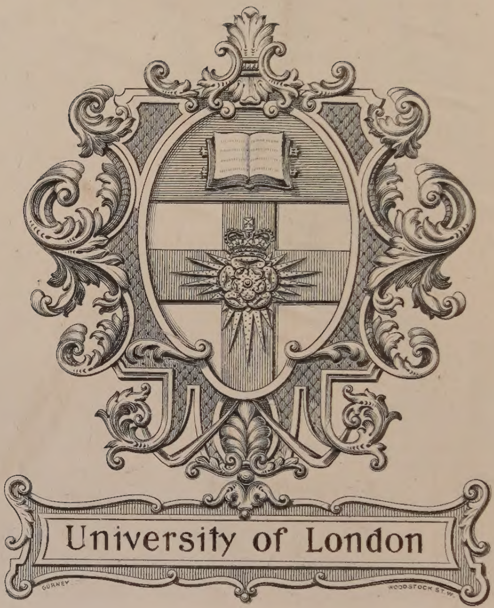
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THE

PARLIAMENTARY DEBATES

(AUTHORISED EDITION),

FOURTH SERIES

FIRST SESSION OF THE TWENTY-EIGHTH PARLIAMENT
OF THE
UNITED KINGDOM OF GREAT BRITAIN AND IRELAND

6 EDWARD VII.

VOLUME CLXV.

COMPRISING THE PERIOD FROM THE FIFTEENTH DAY OF NOVEMBER
TO THE TWENTY-SEVENTH DAY OF NOVEMBER, 1906.

FOURTEENTH VOLUME OF SESSION

1906.

PRINTED AND PUBLISHED,
UNDER CONTRACT WITH HIS MAJESTY'S STATIONERY OFFICE
BY
WYMAN AND SONS, LIMITED, FETTER LANE, LONDON.

8472

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(St. Luke's); Chipping Sodbury (three); Winthorpe; Narcross; Chalford; Little Lausden; Stonehouse; Trevethin; Llanbradach; Cuckfield; Yazor (two); Mansel Lacey (two); Bedminster (St. Luke's); Winkfield; Thurcaston; Beverston; Rodborough; Mixbury; Hartwell and Stone; Croscombe; Huntley (two); Aberdovey; Newbury (St. John's); Wentworth; Wells; Darwen (Holy Trinity); Cardiff; Wootton-under-Edge; Canterbury (St. Mildred's); Wellow; Salford (St. Barnabas); Kentbury; Guilsborough; Buxton; Newark (Christ Church); Bawtry; Whorley; Nailsworth; Stow-on-the-Wold; Langlebury; Sevenhampton; Bishops Cleeve; Preston Capes; Langhope (two); Llanvafley; Frampton (two); Hagbourne East (two); Hagbourne West (two); Meysey Hampton; Kendal; Manchester (Victoria Park); Fitzhead; Ebrington; Stoke Bruerne; Tuldgeley; Shirenewton; Lancaster (St. Agnes); Holdenby; Harleston; Fivehead; Leinthall Earles; Litchurch; Newnham; Harrogate; Paddington; Enderby; Ashwell Thorpe; Wreningham; Stony Stanton; Cheltenham (St. Stephen's); Weston-in-Gordano; South Darley; Llansaint; Kilsby; Penrhos; Broadhempston; Woodleigh; Norton Canon; Upper Slaughter; Llandough; Ipswich (St. Margaret's); Southwell (St. Mary's); Lydd (St. Mary, Wisbech); Kenfig Hill; Radcliffe (St. Thomas); Bournemouth (St. Michael's); Upton, St. Leonards; Carlton-on-Trent; Hull, St. Mary's; Llanmartin; Welton-le-Wold; Geldeston; Newport (St. John's); Trellech, etc.; Barby; Llangynwd; Leaden Roding; Dover; Stoke Golding; Silkstone; Scalford; Weavenham (All Saints' and St. Peter); Aberdare (St. Fagan); Cardiff (All Saints); Newcastle (Penyvai); Newcastle Higher; Laleston; Ynisawdre; Tythigston; Newcastle Lower (Bridgend); Heysham; Overton; Itchen Stoke; and parishes within the Archdeaconry of Worcester. Of Bedwellty Ruridecanal Council; South Lyncombe Church Council; Burford Ruridecanal Chapter; Chester-le-Street Ruridecanal Chapter; Deanery and Teachers of Weldon, Peterborough; Instruction Committee of Parish of St. Barnabas, Bristol; Conservative Association of Market Deeping; and Trustees of Church of England Schools in England and Wales; read, and ordered to lie on the Table.

Education (England and Wales) Bill.—Petitions for Amendments of; of inhabitants or parents of children attending schools in the parishes of Birmingham (St. Paul's); Kennington Park; Didmarton; Medbourne; Thistleton; Longney; Holborn (St. Albans); Sparsholt; South Normanton; Gordano; Morwenstowe; Gorton; Oldham (St. Mary's); Sidcup; Sidcup; Woodston; Bromfield; Preston (St. Matthew's); Priston; Cameley; Oake; Tixall; Hedenham; Folkestone (St. Mary and St. Eanswythe); Dunner; and Winslade; read, and ordered to lie on the Table 4

RETURNS, REPORTS, ETC.

Trade Reports—Annual Series.—No. 3729. China (Trade of Chefoo for 1903–5). 4

Colonies (Miscellaneous).—No. 38. Reprint of a Report (written in 1884) upon the present position and prospects of the agricultural resources of the Island of St. Helena, by D. Morris, esq., M.A., F.L.S., F.G.S., Director of Public Gardens and Plantations, Jamaica.

Presented (by Command) and ordered to lie on the Table 5

Order of Business.

The Lord Privy Seal (*The Marquess of Ripon*) 5

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Education (England and Wales) Bill.—House again in Committee (accord- to Order).

[The Earl of ONSLOW in the Chair.]

Clause 8.

The Lord Archbishop of Canterbury 5

Amendment moved—

"In page 7, line 8, after sub-section (2) to insert the words, '(3) (*a*) In every public elementary school in which extended facilities are afforded under this Act, the consent of the parents' committee shall be required to the appointment of teachers, but that consent shall not be withheld except upon grounds connected with the giving of religious instruction.'"—(*The Lord Archbishop of Canterbury.*)

Lord Clifford of Chudleigh 10

Amendment moved to the proposed Amendment—

"To leave out all the words after the word 'Act' paragraph (a) to the end of the paragraph and to insert the words 'the appointment of teachers shall be made by the local education authority upon the nomination of the parents' committee, whose nominees shall not be rejected except on educational grounds.'"—(*Lord Clifford of Chudleigh.*)

The Lord President of the Council (*The Earl of Crewe*) 11
The Marquess of Salisbury 14
Lord Stanley of Alderley 17
Viscount St. Aldwyn 19

Amendment moved to the proposed Amendment—

"After the word 'Act' in paragraph (*a*) to insert 'the local education authority shall consult with the parents' committee as to the appointment of any persons to be teachers in the schools, and shall satisfy themselves that the persons so appointed are qualified and willing to give the religious instruction for which the extended facilities are afforded.'"—(*Viscount St. Aldwyn.*)

Viscount Llandaff 21
Lord Belper 22
The Under-Secretary of State for Foreign Affairs (*Lord Fitzmaurice*) .. 24
The Lord Archbishop of Canterbury 25
The Duke of Norfolk 25
Viscount Halifax 26
The Marquess of Lansdowne 27

On Question, "That the words proposed to be left out stand part of the Amendment," resolved in the negative.

On Question, "That those words be there inserted," their Lordships divided: —Contents, 49; Not-contents, 137.

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The Earl of Crewe 31
Viscount St. Aldwyn 33

On Question, "That those words be there inserted," resolved in the affirmative.

Amendment, as amended, agreed to.

Lord Clifford of Chudleigh 33

Amendment moved—

"In page 7, line 8, after the word 'worship,' to insert the words: 'The religious instruction given in the school shall as regards its character be in accordance with the provisions of the trust deed (if any) relating to the school; and nothing in this section shall affect any provision in the trust deed giving to any ecclesiastical or denominational authority the power of deciding whether the character of the religious instruction is or is not in accordance with the provisions of the trust deed. The parents' committee shall have access to the school house at all times. Vacancies in the parents' committee caused by death, resignation, or otherwise, shall be filled by election by the parents attending the school or by nomination in the same manner as the original appointment was made. In all schools in which facilities are afforded under Clause 3 of this Act, in State-aided schools and schools used by the local education authority under Clause 11 of this Act, there shall be a parents' committee elected and nominated as provided in Sub-section (4) of Clause 4 of this Act, and all the provisions above enacted shall apply to such committee.'"—(*Lord Clifford of Chudleigh.*)

The Earl of Crewe 34
Viscount Llandaff 36
Lord Stanley of Alderley 37

On Question, Clause 8, as amended, agreed to.

Lord Barnard 37
The Earl of Crewe 37
Viscount St. Aldwyn 39

On Question, Clause 8, as amended, agreed to.

House resumed, and to be again in Committee this evening.

The sitting was then suspended after the House agreeing, on the Motion of the MARQUESS OF RIPON, to give precedence on resuming to a question by the Archbishop of Canterbury relating to the Chinese in the Transvaal.

THE CHINESE IN THE TRANSVAAL.

On resuming at nine o'clock—

The Lord Archbishop of Canterbury 39
Lord Coleridge 42
The Lord Bishop of Birmingham 44

Lord Redesdale 46
The Secretary of State for the Colonies (The Earl of Elgin) 47
Lord Harris 50
The Marquess of Lansdowne 52

Education (England and Wales) Bill.

House again in Committee (according to order).

[The Earl of ONSLOW in the Chair.]

Clause 9 :—

The Lord Bishop of London 56

Amendment moved—

"In page 7, line 29, to leave out the word 'charitable' and insert the word 'educational."—(*Viscount Llandaff.*)

The Earl of Camperdown 58
The Lord Bishop of St. David's 58
Lord Barnard 59
The Earl of Crewe 59
Lord Ashbourne 62
The Lord Bishop of St. David's 62
Viscount Llandaff 63

Amendment, by leave, withdrawn.

Viscount Llandaff 63

Amendment moved—

"In page 7, line 31, after the word 'authority,' to insert the words 'or the owners of the schoolhouse.'"—(*Viscount Llandaff.*)

The Earl of Crewe 64
Lord Ashbourne 64

On Question, Amendment agreed to.

Viscount Llandaff 64

Amendment moved—

"In page 8, line 4, to leave out from the word 'Court' to the end of paragraph (a) of sub-section (2)."—(*Viscount Llandaff.*)

The Earl of Camperdown 65
The Lord Bishop of St. David's 66
The Lord Bishop of Wakefield 66
The Marquess of Lansdowne 67
The Lord Archbishop of Canterbury 68
Earl Cawdor 69

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Lord Fitzmaurice .. 69
Lord Stanley of Alderley .. 70
Viscount St. Aldwyn .. 70
The Earl of Crewe .. 70
Lord Ashbourne .. 71

On Question, "That paragraph (*a*) of sub-section (2) stand part of the clause," their Lordships divided:—Contents, 30; Not-contents, 91.

House resumed, and to be again in Committee on Monday next.

House adjourned at half-past Eleven o'clock, to Monday next, a quarter past Four o'clock.

HOUSE OF COMMONS: THURSDAY, 15TH NOVEMBER, 1906.

The House met at a quarter before Three of the Clock.

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Public Accounts Committee.—Fourth Report, with minutes of evidence, brought up and read.

Report to lie upon the Table, and to be printed. [No. 352] 129

Adjournment.—Mr. Lehmann, Member for the Market Harborough Division of Leicestershire, rose in his place and asked leave to move the Adjournment of the House for the purpose of discussing a definite matter of urgent public importance, viz., "The prevalence of gross immorality in the Chinese compounds in the Transvaal as disclosed in the recent Report of Mr. Bucknill, and the evidence appended thereto, and the imperative necessity laid upon His Majesty's Government to take immediate steps to put a stop to this state of affairs by every possible method, and especially by the more rapid and systematic repatriation of the Chinese coolies;" and, the pleasure of the House being signified, the Motion stood over, under Standing Order No. 10, until a quarter past Eight this evening 129

Merchant Shipping Acts Amendment (No. 2) Bill.—Order read, for resuming Adjourned Debate on Amendment proposed [23rd October] on Consideration of the Bill, as amended (by the Standing Committee).

Which Amendment was—

"In page 26, line 26, to leave out Clause 51."—(*Mr. Evelyn Cecil*).

Question again proposed, "That the words of the Clause to the word 'spaces,' in page 26, in line 26, stand part of the Bill."

Sir George Doughty (*Great Grimsby*) 130
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The Parliamentary Secretary to the Board of Trade (*Mr. Kearley, Devonport*) 135
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Sir Robert Ropner (*Stockton*) 138
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Mr. Evelyn Cecil (*Aston Manor*) 140

Amendment, by leave, withdrawn.

Amendment proposed—

"In page 26, lines 26 and 27, to leave out the words 'spaces used for the storage of provisions and water and.'"—(*Mr. D. A. Thomas.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Austin Taylor (*Liverpool, East Toxteth*) 140
Mr. Charles Wilson (*Hull, W.*) 141

Amendment agreed to.

Amendments proposed—

"In page 26, line 30, to leave out from the word 'words' to end of line 32."—(*Mr. D. A. Thomas.*)

"In page 26, line 35, to leave out the word 'that.'"—(*Mr. D. A. Thomas.*)

"In page 26, line 35, after the word 'sub-section,' to insert the words 'one of that section.'"—(*Mr. D. A. Thomas*).

"In page 28, line 28, to leave out the words 'he is engaged,' and insert the words 'the seaman has signed the agreement.'"—(*Mr. Lloyd-George.*)

"In page 28, line 34, to leave out the words 'be made,' and insert the words 'begin at the expiration of one month from the date of the agreement with the crew and shall be paid.'"—(*Mr. Lloyd-George.*)

"In page 28, line 35, to leave out from the word 'of' to end of clause, and insert the words 'every subsequent month after the first month, and shall be paid only in respect of wages earned before the date of payment.'"—(*Mr. Lloyd-George.*)

Mr. L. Haslam (*Monmouth Boroughs*) 142

Amendment proposed—

"In page 28, line 38, to leave out from the word 'seaman' to end of line 41, and to insert the words 'expresses to the master of the ship his desire to have facilities afforded to him for remitting, at any time after the ship has left port, all or any part of the balance to a savings bank, or to a near relative in whose favour an allotment note may be made, the master shall give to the seamen all reasonable facilities for so doing so far as regards so much of the balance as is in excess of ten pounds, but shall be under no obligation to give those facilities while the ship is in port if the sum will become payable before the ship leaves port, or otherwise than conditionally on the seamen going to sea in the ship.'"—(*Mr. L. Haslam.*)

Question proposed "That the words proposed to be left out stand part of the Bill."

Mr. Austin Taylor 143
Mr. Havelock Wilson (*Middlesbrough*) 143
Lord Balcarres (*Lancashire, Chorley*) 144
Lord R. Cecil (*Marylebone, E.*) 144
The President of the Board of Trade (*Mr. Lloyd-George, Carnarvon Boroughs*) 144
Mr. Evelyn Cecil 145
Mr. Cairns 145
Mr. Bonar Law 146

Question put, and negatived.

Proposed words inserted.

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Amendment proposed—

> "In page 29 line 23, after the word 'Act,' to insert the words 'or which was in course of construction on the first day of July, 1906.'"—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted."

Mr. Lloyd-George 146

Amendment proposed to the proposed Amendment—

> "To leave out the words 'July, 1906,' and to insert the words 'January, 1907.'"—(*Sir R. Ropner.*)

Amendment to proposed Amendment agreed to.

Amendment, as amended, agreed to.

Amendment proposed—

> "In page 29, line 24, to leave out the word 'two,' and insert the word 'three.'"—(*Mr. Lloyd-George.*)

Amendment agreed to.

Mr. Havelock Wilson 147

Amendment proposed—

> "In page 29, to leave out lines 28, 29, and 30, and insert the words, 'lascar seamen whilst serving on board British ships in latitudes beyond thirty-five degrees north and thirty-five degrees south, shall be provided with the same amount of space in forecastles appropriated for their use as provided for Europeans, but when serving within tropical climates, that is, within the above-named latitudes, seventy-two cubic feet shall be deemed sufficient space for each lascar seaman.'"—(*Mr. Havelock Wilson.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Kearley 149
Mr. Brace 150
Mr. Rees (*Montgomery Boroughs*) 151
Mr. John Ward (*Stoke-on-Trent*) 152
Mr. Charles Wilson 153
Mr. Beckett (*Yorkshire, N.R., Whitby*) 153
Mr. Cairns 154
Sir Frederick Banbury (*City of London*) 154
Mr. Jenkins (*Chatham*) 156
Mr. Austin Taylor 156
Mr. Bonar Law 159
Mr. Crean (*Cork, S.E.*) 161
Mr. Godfrey Baring (*Isle of Wight*) 163
Mr. Maddison (*Burnley*) 164

Mr. Lloyd-George 166
Mr. Barnes (Glasgow, Blackfriars) 169
Lord R. Cecil 170
Mr. Seddon (Lancashire, Newton) 171
Mr. Markham (Nottinghamshire, Mansfield) 173
Sir Robert Ropner 174

Question put.

The House divided :—Ayes, 248 ; Noes, 105. (Division List No. 411.)

Mr. Havelock Wilson 180

Amendment proposed—

> " In page 29, line 41, at end, to add the words ' Where a seaman who has been lawfully engaged and has received under his agreement an advance note, after negotiating his advance note wilfully or through misconduct fails to join his ship or deserts therefrom before the note becomes payable, he shall, on summary conviction, be liable to a fine not exceeding five pounds, or, at the discretion of the court, to imprisonment for not exceeding twenty-one days, but nothing in this section shall take away or limit any remedy by action or by summary procedure before justices which any person would otherwise have in the respect of the negotiation of the advance note, or which an owner or master would otherwise have for breach of contract.' "—(*Mr. Havelock Wilson.*)

Question, " That those words be there inserted in the Bill," put, and agreed to.

Amendments proposed—

> " In page 31, line 10, to leave out the words ' of owners' liability.' " (*Mr. Lloyd-George.*)

> " In page 31, line 11, after the word ' Acts,' to insert the words ' of the liability of owners of ships, docks, or canals, and of harbour authorities, and conservancy authorities.' "—(*Mr. Lloyd-George.*)

> " In page 33, line 4, after the word ' kingdom,' to insert the words ' from any port out of the United Kingdom.' "—(*Mr. Lloyd-George.*)

Amendments agreed to.

Amendment proposed—

> " In page 33, line 34, at end, to insert the words ' (2) The Board of Trade shall annually lay before both Houses of Parliament a special Report stating the cases in which they have exercised their powers under this section during the preceding year, and the grounds upon which they have acted in each case.' "—(*Mr. Lloyd-George.*)

Question, " That those words be there inserted in the Bill," put, and agreed to.

Mr. Havelock-Wilson 181
Mr. Summerbell 182

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Amendment proposed—

"In page 33, line 34, at end, to add, 'No exemption from specified requirements contained in or prescribed in pursuance of the Merchant Shipping Acts, shall dispense with the observance of any such requirements unless sanction of Parliament has been obtained by Order in Council, and such Order to lie upon the Table of the House of Commons at least thirty days.' "—(*Mr. Havelock Wilson.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Lloyd-George 183
Mr. C. Duncan (Barrow-in-Furness) 183
Mr. Austin Taylor 184
Mr. Cairns 185
Mr. Lloyd-George 185
Mr. Bonar Law 185

Amendment, by leave, withdrawn.

Sir Robert Ropner 186

Amendment proposed—

"In page 33, line 35, to leave out the words 'may if they think fit.' and to insert the word "shall.' "—(*Sir Robert Ropner.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Lloyd-George 186

Amendment negatived.

Amendment proposed—

"In page 36, line 6, to leave out the word 'January,' and insert the word 'June.' "—(*Mr. Lloyd-George.*)

Question proposed, "That the word 'January' stand part of the Bill."

Mr. Lloyd-George 186

Question put, and negatived.

Proposed word there inserted.

Mr. Havelock Wilson 187

Amendment proposed—

"In page 37, column 5, after the word 'beef,' to insert the words '(weight exclusive of bone).' "—(*Mr. Havelock Wilson.*)

Question proposed, "That those words be there inserted in the Bill."

And, it being a quarter past Eight of the Clock, and leave having been given to move the Adjournment of the House under Standing Order No. 10, further Proceeding was postponed without Question put.

ADJOURNMENT—CHINESE IN THE TRANSVAAL.—Motion made, and Question put, " That strangers be ordered to withdraw."

The House divided :—Ayes, 25 ; Noes, 326. (Division List No. 412.)

Mr. Lehmann (*Leicestershire, Market Harborough*) 191
Mr. A. E. W. Mason (*Coventry*) 197

Motion made, and Question proposed, " That this House do now adjourn." —(*Mr. Lehmann.*)

The Under-Secretary of State for the Colonies (*Mr. Churchill, Manchester, N.W.*) 198
Mr. Lyttelton (*St. George's, Hanover Square*) 207
Mr. Masterman (*West Ham, N.*) 213
Mr. Mackarness (*Berks., Newbury*) 214
The Prime Minister and First Lord of the Treasury (*Sir H. Campbell-Bannerman, Stirling Burghs*) 215
Mr. Markham (*Notts., Mansfield*) 218

And, it being Eleven of the Clock, the Motion for adjournment of the House lapsed without Question put.

Merchant Shipping Acts Amendment (No. 2) Bill.—Postponed proceeding on Amendment proposed on consideration of the Bill, as amended, resumed.

Question again proposed, " That those words be there inserted in the Bill."

Debate arising.

Motion made, and Question " That the debate be now adjourned."—(*Mr. Whiteley*)—put, and agreed to.

Debate to be resumed To-morrow 220

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of 4th August last.

Adjourned at one minute after Eleven o'clock.

HOUSE OF COMMONS : FRIDAY, 16TH NOVEMBER, 1906.

The House met at Twelve of the Clock.

PRIVATE BILL BUSINESS.

Blairgowrie, Rattray, and District Water Order Confirmation Bill.—Read a second time ; to be considered upon Monday next 221

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PETITIONS.

PARLIAMENTARY FRANCHISE.—Petition from Dawlish, for extension to women; to lie upon the Table 221

RETURNS, REPORTS, ETC.

COAL (EXPORT DUTY).—Return [presented 15th November] to be printed. [No. 352.] 221

INQUIRY INTO CHARITIES (COUNTY OF BERKS).—Return [presented 15th November] to be printed. [No. 353.] 221

INQUIRY INTO CHARITIES (COUNTY OF WILTS).—Return [presented 15th November] to be printed [No. 354.] 221

COLONIAL REPORTS (ANNUAL).—Copy presented, of Colonial Report No. 508 (Somaliland Protectorate, Report for 1905–6 [by Command]; to lie upon the Table 221

COLONIAL REPORTS (MISCELLANEOUS).—Copy presented, of Report No. 38 (Reprint of a Report (written in 1884) upon the Present Position and Prospects of the Agricultural Resources of the Island of St. Helena, by D. Morris, esquire, M.A., F.L.S., F.G.S., Director of Public Gardens and Plantations, Jamaica) [by command]; to lie upon the Table 221

SUPERANNUATION ACT, 1884.—Copy presented, of Treasury Minute, dated 10th November, 1906, declaring that James Hay, turner, Royal Gun Factory, War Office, was appointed without a Civil Service Certificate through inadvertance on the part of the head of his Department [by Act]; to lie upon the Table 222

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

VIVISECTION EXPERIMENTS AT GORDON COLLEGE, KHARTOUM.—Question, Mr. Greenwood (Peterborough); Answer, Sir Edward Grey 222

SPECIAL GRANTS TO EDUCATION AUTHORITIES.—Question, Mr. Whitehead (Essex, S. E.); Answer, Mr. Birrell 223

GOVERNMENT OFFICIAL AND NORTH ARMAGH ELECTION CAMPAIGN.—Question, Mr. Glendinning (Antrim, N.); Answer, Mr. M'Kenna 223

PILOTS AND DOVER BOATMEN.—Question, Mr. Hedges (Kent, Tonbridge); Answer, Mr. Lloyd-George 224

COLONEL MALONE'S BARONSTOWN ESTATE.—Question, Mr. Ginnell (Westmeath, N.); Answer, Mr. Bryce 224

MONTHLY PAYMENT OF IRISH NATIONAL SCHOOL TEACHER'S SALARIES.—Question, Mr. Murphy (Kerry, E.); Answer, Mr. Bryce 225

HONOURS FOR ARMY OFFICERS.—Question, Mr. Bellairs (Lynn Regis); Answer, Mr. Haldane 226

ENNISKILLEN GARRISON.—Question, Mr. Fetherstonhaugh (Fermanagh, N.); Answer, Mr. Haldane 226

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Adjournment.—Resolved, "That this House, at the rising of the House this day, do adjourn till Monday next."—(*Mr. Whiteley.*) 226

Merchant Shipping Acts Amendment (No. 2) Bill.—Order read, for resuming Adjourned Debate on Amendment proposed [15th November] on consideration of the Bill, as amended (by the Standing Committee).

Which Amendment was—

In page 37, column 5, heading, after the word 'Beef,' to insert the words '(weight exclusive of bone).' "—(*Mr. Havelock Wilson.*)

Question again proposed, "That those words be there inserted in the Bill."

Question put, and negatived.

Mr. Havelock Wilson (*Middlesborough*) 227

Amendment proposed to the Bill—

"In page 37, column 6, heading, after the words 'salt pork' to insert the words '(weight exclusive of bone).' "—(*Mr. Havelock Wilson.*)

Question proposed, "That those words be there inserted in the Bill."

The Parliamentary Secretary to the Board of Trade (*Mr. Kearley, Devonport*) 227

Question put. and negatived.

Amendment proposed to the Bill—

"In page 38, line 34, at end, to insert the words, '(7) A mixture of coffee and chicory containing not less than seventy-five per cent. of coffee, may at any time be substituted for coffee in the proportion of five ounces of the mixture to four ounces of coffee.' "—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted in the Bill."

Question put, and agreed to.

Amendments proposed to the Bill—

"In page 39, line 22, column 3, before the word 'when,' to insert the words 'to be considered equal.' "—(*Mr. Lloyd-George.*)

"In page 40, line 7, at end to insert the words 'section one hundred and forty-four.' "—(*Mr. Lloyd-George.*)

Amendment proposed to the Bill—

"In page 40, line 12, in third column, to insert the words 'In sub-section (2) of section two hundred and forty-six the words 'and appoint and remove the superintendents, deputies, clerks and servants,' and in paragraph (a) the words 'the number of persons to be so appointed

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and the amount of their salaries and wages, and ' and the word ' other ' ; and paragraph (c) ; and in sub-section (3) of the same section the words ' and appoint and remove all the requisite superintendents, deputies, clerks, and servants.' "—(*Mr. Lloyd-George.*)

Question proposed, " That those words be there inserted in the Bill."

Mr. Bowles (*Lambeth, Norwood*) 229
Mr. Austin Taylor (*Liverpool, East Toxteth*) 230

Question put, and agreed to.

Amendment proposed to the Bill—

" In page 40, line 23, to leave out ' paragraph (c) of subsection (3) of.' "—(*Mr. Lloyd-George.*)

Amendment agreed to.

Amendment proposed—

" In title, page 1, to leave out the words ' 1901,' and insert the words ' 1900.' "—(*Mr. Lloyd-George.*)

Amendment agreed to.

Bill recommitted to a Committee of the Whole House in respect to New Clauses, and of Amendments to the Second Schedule (Repeal) consequential thereto.—(*Mr. Lloyd-George.*)

Considered in Committee.

(In the Committee.)

[Mr. Emmott (Oldham) in the Chair.]

New clause—

" ' (1) The master of every British ship shall enter or cause to be entered in the official log-book a statement, or, if there is no official log-book, cause a record to be kept, of every occasion on which boat drill is practised on board the ship, and on which the life saving appliances on board the ship have been examined for the purpose of seeing that those appliances are fit and ready for use.

" ' (2) The master shall, if and when required by any officer of the Board of Trade, produce for inspection any record kept by him for the purposes of this section.

" ' (3) If the master of a ship fails to comply with any requirement of this section, he shall be liable on summary conviction for each offence to a fine not exceeding ten pounds.' "—(*Mr. Lloyd-George.*)

Brought up and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Sir Gilbert Parker (*Gravesend*) 232
The President of the Board of Trade (*Mr. Lloyd-George, Carnarvon Burghs*) 232
Sir Gilbert Parker 232
Mr. Cathcart Wason (*Orkney and Shetland*) 233

Question put, and agreed to.

Clause read a second time, and added to the Bill.

New clause—

"If a ship, British or foreign, arrives between the last day of October and the sixteenth day of April in any year at any port in the United Kingdom from any port out of the United Kingdom, carrying any heavy wood goods as deck cargo or (except under the conditions allowed by this section) any light wood goods as deck cargo, the master of the ship, and also the owner, if he is privy to the offence, shall be liable to a fine not exceeding five pounds for every hundred and fifty cubic feet of space in which wood goods are carried in contravention of this section. (2) The conditions under which light wood goods may be carried as deck cargo as are follows: (a) Each unit of the goods must be of a cubic capacity not greater than fifteen cubic feet; and (b) The height above the deck to which the goods are carried must not exceed :—(i) in the case of an uncovered space on a deck forming the top of a break poop or other permanent closed-in space on the upper deck three feet above the top of that closed-in space; and (ii) in the case of an uncovered space not being a space forming the top of any permanent closed-in space on the upper deck or a space forming the top of a covered space the height of the main rail bulwark or plating or one-fourth of the inside breadth of the ship or seven feet whichever height is the least; and (iii) in the case of a covered space the full height of that space. (3) Provided that a master or owner shall not be liable to any fine under this section—(a) in respect of any wood goods which the master has considered it necessary to place or keep on deck during the voyage on account of the springing of any leak or or any other damage to the ship received or apprehended; or (b) if he proves that the ship sailed from the port at which the wood goods were loaded as deck cargo at such time before the last day of October as allowed a sufficient interval according to the ordinary duration of the voyage for the ship to arrive before that day at the said port in the United Kingdom, but was prevented from so arriving by stress of weather or circumstances beyond his control; or (c) if he proves that the ship sailed from the port at which the wood goods were loaded as deck cargo at such time before the sixteenth day of April as allowed a reasonable interval according to the ordinary duration of the voyage for the ship to arrive after that day at the said port in the United Kingdom, and by reason of an exceptionally favourable voyage arrived before that day. (4) For the purposes of this section—(a) the expression 'heavy wood goods' means—(i) any square, round, wavey, or other timber, or any pitch pine, mahogany, oak, teak, or other heavy wood goods whatever; or (ii) any more than five spare spars or store spars, whether or not made, dressed, and finally prepared for use; and (b) the expression 'light wood goods' means any deals, battens, or other light wood

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goods of any description; and (c) the expression 'deck cargo' means any cargo carried either in any uncovered space upon deck or in any covered space not included in the cubical contents forming the ship's registered tonnage; and (d) the space in which wood goods are carried shall be deemed to be the space limited by the superficial area occupied by the goods, and by straight lines enclosing a rectangular space sufficient to include the goods. (5) Nothing in this section shall affect any ship not bound to a port in the United Kingdom which comes into any port of the United Kingdom under stress of weather, or for repairs, or for any purpose other than the delivery of her cargo. (6) This section shall come into operation on the passing of this Act."—(*Mr. Lloyd-George.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."—(*Mr. Lloyd-George.*)

Mr. Havelock Wilson 234
Mr. Joyce (Limerick) 236
Mr. Lloyd-George 237
Mr. Cairns (Newcastle-on-Tyne) 238
Mr. Jenkins (Chatham) 239
Mr. Havelock Wilson 240
Mr. Bonar Law (Camberwell, Dulwich) 242
Mr. Brace (Glamorganshire, S.) 243
Mr. Bowles (Lambeth, Norwood) 244
Mr. Austin Taylor 246
Mr. Havelock Wilson 248
Major Seely (Liverpool, Abercromby) 251
Mr. R. Duncan (Lanarkshire, Govan) 251

Question put, and agreed to.

Clause read a second time.

Mr. Austin Taylor 251

Amendment proposed to the proposed new clause—

"In line 4, after the word 'heavy,' to insert the words 'or light.'" (*Mr. Austin Taylor.*)

Question proposed "That those words be there inserted."

Mr. Lloyd-George 253
Mr. Havelock Wilson 253
Mr. Jenkins 253
Mr. Cairns 254

Question put, and agreed to.

Amendments proposed to the proposed new clause—

"In line 4, to leave out the word 'or.'"

"In line 5, to leave out the words 'any light wood goods as deck cargo.'"

"In line 8, at end, to insert the words '(2) The conditions under which heavy wood goods may be carried as deck cargo are as follows:—(a) that they must only be carried in covered spaces, and (b) that they must be carried only in such class of ships as may be approved by the Board of Trade for the purpose; and (c) that they must be loaded in accordance with regulations made by the Board of Trade in respect to the loading thereof.' "—(*Mr. Austin Taylor.*)

Amendments agreed to.

Amendment proposed to the proposed new clause—

"In line 24, after the word 'least,' to insert the words 'Provided that regulations may be made by the Board of Trade for the protection of seamen from any risk arising from the carriage of goods at such a height; and these regulations must be complied with on the ship.' "—(*Mr. Lloyd-George.*)

Question, "That those words be there inserted in the proposed new clause,"—put, and agreed to.

Clause, as amended, added to the Bill.

Mr. Lloyd-George 254

New clause—

"The following section shall be substituted for Section 353 of the principal Act, 'If any person, by any false representation, fraud, or false pretence, induces, or attempts to induce, any person to emigrate or to engage a steerage passage in any ship, he shall for each offence be liable to a fine not exceeding £50, or to imprisonment, with or without hard labour, for a period not exceeding three months.' "—(*Mr. Lloyd-George.*)

Brought up, and read the first and second times, and added to the Bill.
Mr. Lloyd George 255

New clause—

"(1) In the United Kingdom, all superintendents, deputies, clerks, and servants in mercantile marine offices shall be appointed and removable by the Board of Trade, and all superintendents, whether appointed before or after the commencement of this Act, shall, in carrying into effect the provisions of the Merchant Shipping Acts, be subject to the control of and obey directions given by the Board of Trade, except as respects any matter which, under those Acts or any Order in Council made thereunder, are subject to the control of any other Government Department, and a power of removal by this section conferred on the Board of Trade shall be exercisable by the Board as respects superintendents, deputies, clerks, and servants appointed before the commencement of this Act. (2) In sub-section 1 of Section 244 of the principal Act the words 'such of the provisions of this Act as relate to their powers and duties' shall be substituted for the words 'this Act.' "—(*Mr. Lloyd-George.*)

Brought up, and read the first time.

Motion made, and Question proposed, " That this clause be read a second time."

Mr. Bonar Law 258
Mr. Austin Taylor 261
Mr. Havelock Wilson 263
Mr. Bowles 267

Question put, and agreed to.

Clause read a second time.

Question put, " That this clause be added to the Bill."

The Committee divided :—Ayes, 239 ; Noes, 24. (Division List No. 413.)

Mr. Lloyd-George 275

New clause—

" (1) The managing owner of every ship registered in the United Kingdom (not being a fishing-boat) shall in each year make a return to the Board of Trade at such time as the Board prescribe, showing the aggregate gross earnings during the preceding year of all ships so registered of which he is managing owner, and it shall be the duty of the Board of Trade to furnish the requisite forms to the managing owner of the ship. The Board of Trade shall not publish or disclose in any way any Returns made under this section or any summary of such Returns other than figures showing the percentage variations from year to year in the aggregate gross earnings returned, distinguishing if they think fit the coasting trade. Provided that nothing in this section shall prevent the Board of Trade from using the Returns to assist them in preparing periodical estimates of the extent to which the relation between imports and exports of the United Kingdom as a whole is affected by the freight earnings of shipping which reach this country. No person not employed by the Board of Trade in connection with the Returns shall be permitted to see any individual Return, and any person so employed who knowingly makes any disclosure of any matter which the Board of Trade is prohibited from disclosing under this section shall be guilty of a misdeameanour. (2) The forms shall be so framed as to distinguish between ships engaged in the coasting trade and other ships. (3) If the managing owner of a ship fails to make the Return required under this section, or makes a Return which is false in any respect, he shall be liable on summary conviction for each offence to a fine not exceeding ten pounds. (4) Any owner of a ship or other person having the management of the ship or any interest therein, shall furnish to the managing owner any information required by him for the purposes of the Return, and if he refuses or neglects to do so he shall be liable on summary conviction for each offence to a fine not exceeding ten pounds. (5) The expression 'managing owner' means the person registered as managing owner under Section fifty-nine of the principal Act, and includes any person whose name is registered as ship's husband or otherwise under subsection (2) of that section."—(*Mv. Lloyd-George.*)

Brought up, and read the first time.

Motion made, and Question proposed, " That the clause be read a second time."

Question put, and agreed to.

Clause read a second time, and added to the Bill.

New clause—

> "Section seven hundred and forty-four of the principal Act (which relates to the application of that Act to certain fishing vessels) shall not apply to ships engaged in the whale fisheries off the coast of Scotland and registered at ports in Scotland, and accordingly there shall be added at the end of that section the words 'and of ships engaged in the whale fisheries off the coast of Scotland and registered at ports in Scotland.' "—(*Mr. Lloyd-George.*)

Brought up, read the first and second times; and added to the Bill.

Mr. Brace 277

New clause—

> "In ascertaining the regular tonnage of a ship the allowance made for the space occupied by the propelling power shall, notwithstanding anything in this Act or in the Merchant Shipping Acts, 1894 to 1900, in no case exceed forty per centum of the gross tonnage of such ship less the spaces allowed to be deducted by paragraphs (1) (2) and (3) of sub-section (1) of Section 79 of the Merchant Shipping Act of 1894."—(*Mr. Brace.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Mr. Lloyd-George 281
Sir John Brunner (*Cheshire, Northwich*) 282
Mr. Lambton (*Durham, S.E.*) 283
Mr. Russell Rea (*Gloucester*) 284
Mr. W. Howell-Davies (*Bristol, S.*) 284

Motion and new clause, by leave, withdrawn.

New clause—

> "Sub-section one of Section twenty-one of the principal Act shall be read as if the following words were inserted at the end of that sub-section: 'and the registry of the ship shall be considered as closed except so far as relates to any unsatisfied mortgages or existing certificates of mortgage entered therein.' "—(*Mr. J. Stuart.*)

Brought up, read the first and second time, and added to the Bill.

Sir Gilbert Parker 285

New clause—

> "Section five hundred and ninety-nine of the principal Act shall be amended as follows:—
>
> "Page 262, line 13, after the word 'pilot,' add 'but shall not be entitled to pilot that ship beyond the limits within which a licensed pilot is permitted to conduct ships unless that ship is engaged in daily trips for pleasure only during the summer season."
>
> "Section 604, page 264, line 23, after the word 'certificate,' add 'but the Board of Trade shall not grant a certificate to any master or mate authorising him to pilot any ship beyond the limits within which a licensed pilot is permitted to conduct ships, unless such ship is engaged in daily trips for pleasure during the summer season.' "—(*Sir Gilbert Parker.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read the second time."

Mr. Lloyd-George 287
Lord R. Cecil 288

Question put, and negatived.

New clause—

"Where by any Act of Parliament or Provisional Order confirmed by Parliament, tonnage, dock, or other rates or dues are or may be authorised to be levied at any port, dock, or harbour upon not less than a prescribed percentage of the gross tonnage of ships, the rates for the pilotage of ships (if levied upon tonnage) in the pilotage district in which such port, dock, or barbour is situate, may be levied upon not less than the same percentage of the gross tonnage of such ships."—(*Mr. Howell Davies.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Mr. Joyce 289

Motion and clause, by leave, withdrawn.

Mr. Jenkins 289

New clause—

"(1) After the thirty-first day of December, one thousand nine hundred and seven, every British foreign-going ship of two thousand tons and upwards net registered tonnage, shall be provided with and carry a duly-certificated ship's carpenter. (2) A ship's carpenter shall not be deemed to be duly certificated within the meaning of this section unless he is the holder of a certificate of competency granted by the Board of Trade, or is the holder of certificates of discharge showing at least three years service as ship's carpenter previously to the said thirty-first day of December, one thousand nine hundred and seven. (3) The ship's carpenter shall be rated in the ship's articles as ship's carpenter and provided with a separate berth. (4) If the requirements of this section are not complied with in the case of any ship, the master or owner of the ship shall, where there is no sufficient reason for the failure to comply with the requirements, for each offence be liable on summary conviction to a fine not exceeding twenty-five pounds, and a prosecution under this section may be instituted with or without the consent of the Board of Trade. (5) In this Act the expression 'ship's carpenter' shall mean a person who is able to satisfy the requirements of the Board of Trade for the efficient discharge of the work to be undertaken."—(*Mr. Jenkins.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Mr. Lloyd-George 291

Question put, and negatived.

New clause—

"Section 136, sub-section 2, of the principal Act shall be read as if at the end thereof there were added the following words: "Unless at the time of signing such release the seaman shall give notice in writing to the master of a claim or demand against the owner or master, in which event the settlement shall be taken to have been made without prejudice to such claim or demand."—(*Mr. Havelock Wilson.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Question put, and agreed to.

Clause read a second time, and added to the Bill.

Bill reposed, with Amendments; as amended, on re-committal, considered; to be read the third time upon Monday next.

ADJOURNMENT.

Motion made, and Question, "That this House do now adjourn."—(*Mr. Herbert Lewis*)—put, and agreed to.

Adjourned accordingly at five minutes after Five o'clock till Monday next.

HOUSE OF LORDS: MONDAY, 19TH, NOVEMBER 1906.

PRIVATE BILL BUSINESS.

Clydebank and District Water and Burgh Extension Order Confirmation Bill.—Read 3ª (according to Order), and passed 293

Dover Harbour (Works, Etc.) Bill [H.L.].—Returned from the Commons agreed to, with Amendments. The said Amendments considered, and agreed to 293

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.—Petitions against: of inhabitants of parishes of St. John the Divine, Kennington; All Saints, Childs Hill; Hockerill; and St. Mary's, St. Helens; of Foundation Managers of St. Mary's National School, Kent. Read, and ordered to lie on the Table .. 293

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EDUCATION (ENGLAND AND WALES) BILL.—Petitions for Amendment of: of inhabitants of Moreton-in-Marsh; and borough of Bury. Read, and ordered to lie upon the Table 293

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EDUCATION.—Statistics of Public Education in England and Wales, 1904, 1905, 1906 293

COLONIES: ANNUAL.—No. 508. Somaliland Protectorate (Report for 1905–1906); No. 509. Fiji (Report for 1905). 293

STRAITS SETTLEMENTS.—Correspondence respecting the expropriation of the Tanjong Pagar Dock Company, Limited 293

TRADE REPORTS: ANNUAL SERIES.—No. 3730. Morocco; No. 3731. United States (Philippine Islands).

Presented (by Command), and ordered to lie on the Table 294

SUPERANNUATION.—Treasury minute, dated 10th November, 1906, declaring that James Hay, turner, Royal Gun Factory, War Office, was appointed without a civil service certificate through inadvertence on the part of the head of the department. Laid before the House (pursuant to Act), and ordered to lie on the Table.. 294

GOOSEBERRY MILDEW

Lord Harris 294
The President of the Board of Agriculture and Fisheries (Earl Carrington) 295

Education (England and Wales) Bill.

House again in Committee (according to order).

[The Earl of ONSLOW in the Chair.]

Clause 9 :—

Viscount Llandaff 296

mendment moved—

"In page 8, line 10, to leave out from the word 'if' to the word 'just' in line 16."—(*Viscount Llandaff.*)

The Lord President of the Council (The Earl of Crewe) 298
Lord Ashbourne 299
Lord Sanley of Alderley 300
The Lord Bishop of Wakefield 300
Lord Barnard 300
Lord Colchester 301
Viscount Llandaff 301
The Under-Secretary of State for Foreign Affairs (Lord Fitzmaurice) .. 301
The Earl of Camperdown 301
The Lord Bishop of Oxford 303
The Earl of Crewe 303

On Question, Amendment negatived.

Lord Barnard 303

Amendment moved—

“In page 8, line 13, to leave out from ‘may’ to ‘subject’ in line 14 and to insert ’without prejudice to the exercise by the trusees of any discretion vested in them as to the application of the schoolhouse to some other charitable purpose, make provision by the scheme for the use of the schoolhouse for the purpose of a public elementary school.’”—(*Lord Barnard.*)

The Earl of Crewe 304
The Lord Bishop of St. David’s 304
Lord Heneage 305
Earl Cawdor 305
The Earl of Crewe 305
Lord Stanley of Alderley 305
Lord Barnard 305

On Question, Amendment agreed to.

Lord Barnard 306

Amendment moved—

“In page 8, line 15, after the word ‘matters’ to insert the words ‘including the preservation, as far as the altered circumstances will allow, of such trusts and the protection of the endowment subject thereto.’”—(*Lord Barnard*)

The Earl of Crewe 307

Amendment, by leave, withdrawn.

The Earl of Camperdown 307

Amendment moved—

“In page 8, line 16, to leave out from the word ‘just’ to the end of sub-section (2).—(*The Earl of Camperdown.*)

The Earl of Crewe 308
The Lord Archbishop of Canterbury 309
Lord Belper 310
Lord Barnard 310
The Earl of Camperdown 310
The Lord Bishop of St. David’s 311

Amendment, by leave, withdrawn.

Lord Barnard 311

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Amendment moved—

"In page 8, line 27, after the word 'considered' to insert the following new sub-section: '(3) Before such a scheme is finally established the Commission shall give due notice thereof to the owners, and shall also hear them if they desire to be heard"—(*Lord Barnard.*)

The Earl of Crewe 312

Amendment, by leave, withdrawn.

The Earl of Camperdown 312

Amendment moved—

"In page 8, lines 28 to 32, to leave out sub-section (3)."—(*The Earl of Camperdown.*)

Earl of Crewe 313
The Earl of Halsbury 313
The Lord Bishop of St. David's 314
The Earl of Camperdown 315

Amendment, by leave, withdrawn.

The Lord Bishop of Wakefield 315

Amendment moved—

"In page 8, line 32, after the word 'time' to insert the words 'and if required by the owners shall contain a condition requiring the local education authority to afford facilities in accordance with this Act for religious instruction of some special character not permitted under Section 14 of the Elementary Education Act, 1870.'"—(*The Lord Bishop of Wakefield.*)

The Earl of Crewe 316
The Lord Archbishop of Canterbury 317
The Lord Bishop of Wakefield 317

Amendment, by leave, withdrawn.

Earl Cawdor 317

Amendment moved—

"In page 8, line 38, to leave out all words after 'authority.'"—(*Earl Cawdor.*)

The Earl of Crewe 318
The Marquess of Lansdowne 319
Earl Cawdor 319
The Earl of Crewe 319

Amendment, by leave, withdrawn.

Viscount Llandaff 320

Page

Amendment moved—

"In page 9, line 5, at the beginning of sub-section (5) to insert the words 'A scheme made under this section may be set aside or varied by the Chancery Division of the High Court of Justice on a petition presented for that purpose but save as aforesaid.' "—(*Viscount Llandaff.*)

The Earl of Crewe 321
The Lord Bishop of Wakefield 321
The Marquess of Salisbury 322
The Earl of Crewe 322
Lord Ashbourne 322

Amendment, by leave, withdrawn.

Viscount Llandaff 322

Amendment moved—

"In page 9, line 7, to leave out from the first 'Commission' to the end of the sub-section."—(*Viscount Llandaff.*)

The Earl of Crewe 323
Lord Barnard 323
The Earl of Crewe 325

Amendments, by leave, withdrawn.

Moved, "That Clause 9, as amended, stand part of the Bill."—(*The Earl of Crewe.*)

The Marquess of Londonderry 325
The Lord Archbishop of Canterbury 325

On Question, Clause 9, as amended, agreed to.

Clause 10—

Lord Stanmore 326
Lord Ashbourne 326
The Earl of Crewe 326
Lord Barnard 326

On Question, Clause 10 agreed to.

Clause 11—

The Earl of Camperdown 327

Amendment moved—

"In page 9, line 37, to leave out the words 'without payment.' "—(*The Earl of Camperdown.*)

The Earl of Crewe 327

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Amendment, by leave, withdrawn.

Viscount Llandaff 328

Amendment moved—

"In page 10, line 2, after the word 'ten' to insert the words 'and such use shall be had in such manner and on such terms as to payment and otherwise as shall be agreed between the local education authority and the owners of the schoolhouse, or in default of agreement as shall be determined by the Board of Education.'"—(*Viscount Llandaff.*)

The Earl of Crewe 330

Amendment, by leave, withdrawn.

Amendment moved—

"In page 10, line 12, to leave out all the words after the word 'duties' to the end of the subsection."—(*Viscount Llandaff*).

The Earl of Crewe 330

Amendment, by leave, withdrawn

Amendment moved—

"In page 10, line 15, after the word 'willing' to insert the words 'and competent.'"—(*Viscount Llandaff.*)

Lord Harris 331

On Question, Amendment negatived.

The Earl of Camperdown 331

Amendment moved—

"In page 10, line 16, after the word 'section' to insert the words 'While the schoolhouse is so used, the local education authority shall pay the salaries of the teachers during the whole time the school is open, including the time set apart for religious instruction.'"—(*The Earl of Camperdown.*)

The Earl of Crewe 332
The Earl of Camperdown 332

On Question, Amendment negatived.

Clause 11 agreed to.

Clause 12—

The Earl of Camperdown 333

Amendment moved—

> "In page 10, line 33, after the word 'school' to insert the following new sub-section—(2) 'While a schoolhouse is used under the powers given by this section, the same conditions and provisions shall apply under this Act as when an arrangement is made for the use of a schoolhouse, except that the local education authority shall not make any alteration which is of a permanent character or will interfere with the use of the schoolhouse for any purpose for which it has been previously used, and shall permit the religious instruction given in the school to be of the same character as previously given, and shall also permit the teachers in the school to give that instruction as part of their duties, and, if a vacancy arise in the office of teacher while the school house is used under this section, the local education authority shall, in choosing the teacher, appoint a teacher who is willing to give the religious instruction required under this section.' "—(*The Earl of Camperdown.*)

The Earl of Crewe 334
The Marquess of Londonderry 334
The Earl of Crewe 335

Amendment, by leave, withdrawn.

Clause 12 agreed to.

Clause 13 :—

Lord Belper 336

Amendment moved—

> "In page 11, line 1, to leave out the words 'any other Parliamentary grant,' and insert the words 'the amount now paid under Parliamentary grants to each local education authority.' "—(*Lord Belper.*)

The Earl of Crewe 340
The Marquess of Huntley 341
The Marquess of Londonderry 347
Lord Fitzmaurice 352
Viscount Goschen 357
The Earl of Crewe 359
Viscount Ridley 360
The Marquess of Ripon 361
The Marquess of Lansdowne 362
Lord Belper 362

Amendment, by leave, withdrawn.

On Question, Clause 13 agreed to.

The Lord Archbishop of Canterbury 366

Amendment moved—

"To insert the following new clause :—' (1) The Board of Education may recognise as a State-aided school, efficiently contributing to the public education of the district in which it is situated, any school which, though not a public elementary school provided by the local education authority, fulfils the conditions laid down in the code of regulations for public elementary schools for the time being in force in regard to management, premises, accommodation, equipment, teaching staff, curriculum, and inspection, and in respect of which an application is made to them for recognition by the managers. But it shall be a condition to any such recognition that—(*a*) The Board of Education are satisfied that the teachers are adequately remunerated, regard being had to the rate of salaries paid by the local education authority to teachers in public elementary schools in the area ; (*b*) the managers guarantee the use and the cost of the upkeep of the school buildings and premises and all other cost of maintaining the school (except such part of the cost as may be defrayed by Parliamentary grants) for a period of three years, which guarantee shall be renewable from time to time ; (*c*) the regulations contained in paragraphs one, two, and three of Section 7 of the Elementary Education Act, 1870 (a copy of which shall be conspicuously put up in the school) are complied with in the case of the school. (2) Where a school is recognised under this section as a State-aided school the Board of Education shall, notwithstanding anything in the Education Acts, 1870 to 1903, or in this Act, pay to that school the Parliamentary grants which would be payable in respect of the school or of the scholars attending the school if it were a public elementary school provided by the local education authority. (3) A State-aided school shall be treated as a public elementary school for the purpose of the Elementary School Teachers' (Superannuation) Act, 1898. (4) A State-aided school shall be under the control of the managers, who, in addition to their other powers of management, shall have power to make provision for giving religious instruction of some special character not permitted under Section 14 of the Elementary Education Act, 1870, and to charge school fees not exceeding ninepence per week, and to refuse admission to children for whom they have not sufficient accommodation or sufficient teaching staff. (5) A State-aided school and its registers shall at all reasonable times be open to the school attendance officers of the local education authority, but shall not be otherwise controlled or maintained by the authority. (6) Nothing in this section shall affect the power of a local education authority to provide such school accommodation in public elementary schools provided by it as it may consider desirable for any district in which a State-aided school is situated, and in so doing the authority shall have regard to the wishes of parents who do not their children to attend any such State-aided school."

House resumed, and to be again in Committee To-morrow.

House adjourned at five minutes past Eleven o'clock, till To-morrow, at a quarter past Four o'clock.

HOUSE OF COMMONS: MONDAY, 19TH NOVEMBER, 1906.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Dover Harbour (Works, etc.) Bill [Lords]—(King's consent signified).—Bill read the third time and passed, with Amendments 367

Great Northern Railway (Ireland) Bill [Lords].—As amended, considered. To be read the third time 367

Blairgowrie, Rattray, and District Water Order Confirmation Bill.—Considered. To be read the third time to-morow 367

PETITIONS.

Ecclesiastical Assessments (Scotland) Bill.—Petition from Stonehouse, in favour; to lie upon the Table 367

Immoral Literature and Postcards.—Petition from Oxford, for legislation; to lie upon the Table 367

RETURNS, REPORTS, ETC.

Straits Settlements.—Copy presented, of Correspondence respecting the Expropriation of the Tanjong Pagar Dock Company, Limited [by Command]; to lie upon the Table 367

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Trade Reports (Annual Series).—Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 3730 and 3731 [by Command]; to lie upon the Table 368

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Universal Postal Union.—Return presented, relative thereto [ordered 8th November; *Mr. Sydney Buxton*]; to lie upon the Table, and to be printed. [No. 356] 368

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Honours for Naval Officers.—Question, Mr. Bellairs (Lynn Regis); Answer, Mr. Edmund Robertson 368

Labourers' Cottage for John Lynch of Singland, Limerick.—Question, Mr. Joyce (Limerick); Answer, Mr. Bryce 369

Irish Evicted Tenants—Cases of John Reidy and Daniel McCarthy of County Kerry.—Question, Mr. Murphy (Kerry, E.); Answer, Mr. Bryce 369

Sale of the Gore-Booth Estate, County Sligo.—Question, Mr. O'Dowd (Sligo, S.); Answer, Mr. Bryce 370

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IRISH CONSTABULARY FORCE FUND.—Question, Mr. O'Dowd; Answer, Mr. Bryce 370

ROYAL LAND PURCHASED IN MAURITIUS FOR MILITARY PURPOSES.—Question, Mr. Boland (Kerry, S.); Answer, Mr. Haldane 731

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LOCAL AUTHORITIES AND QUALIFICATION OF WOMEN BILL.—Question, Mr. Harold Cox; Answer, Sir H. Campbell-Bannerman 413

ROYAL HIBERNIAN ACADEMY.—Question, Mr. Boland (Kerry, S.); Answer, Mr. Runciman 412

Town Tenants (Ireland) Bill.—Order for Consideration, as amended (by the Standing Committee) read.

Mr. A. J. Balfour (City of London) 414

Motion made, and Question proposed, "That the consideration of the Bill, as amended, be now adjourned."—(*Mr. A. J. Balfour.*)

The Chief Secretary for Ireland (Mr. Bryce, Aberdeen, S.) 416
Mr. Charles Craig (Antrim, S.) 419
Mr. Dalziel (Kircaldy Burghs) 420
Mr. James Campbell (Dublin Univesrity) 422
The Attorney-General for Ireland (Mr. Cherry, Liverpool, Exchange) .. 426
Major Seely (Liverpool, Abercromby) 429
Sir Frederick Banbury (City of London) 430
Mr. Walter Long (Dublin, S.) 431

Question put.

The House divided:—Ayes, 75; Noes, 278. (Division List No. 414.)

Sir Frederick Banbury 437
Viscount Castlereagh 439

Amendment proposed to the Bill—

"In page 1, line 6, to leave out Clause 1."—(*Sir Frederick Banbury.*)

Question proposed "That the words 'Subject to the provisions of this Act' stand part of the Bill."

Mr. Bryce .. 440
Mr. Rawlinson (Cambridge University) .. 441
Mr. Charles Craig .. 443
Sir E. Carson (Dublin University) .. 444
Mr. Clavell Salter (Hants, Basingstoke) .. 446
Mr. Cherry .. 447
Mr. A. J. Balfour .. 449
Mr. James Campbell .. 453
Viscount Helmsley (Yorkshire, N.R., Thirsk) .. 453

Mr. Cherry rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided :—Ayes, 289 ; Noes, 59. (Division List No. 415.)

Question put accordingly, "That the words 'Subject to the provisions of this Act' stand part of the Bill."

The House divided :—Ayes, 289 ; Noes, 58. (Division List No. 416.)

Lord R. Cecil (Marylebone, E.) .. 463
Mr. Clavell Salter .. 466

Amendment proposed to the Bill—

"In page 1, line 6, after the word 'Act,' to insert the words 'and to the terms of his tenancy'."—(*Lord R. Cecil.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Bryce .. 467
Mr. J. Ward (Stoke-on-Trent) .. 467
Sir E. Carson .. 469
Mr. Cherry .. 470
Mr. James Campbell .. 470
Viscount Turnour (Sussex, Horsham) .. 474
Mr. Craig .. 474
Mr. T. L. Corbett (Down, N.) .. 476

Question put.

The House divided :—Ayes, 58 ; Noes, 272. (Division List No. 417.)

Mr. James Campbell .. 479

Amendment proposed to the Bill—

"In page 1, line 7, after the word 'applies,' to insert the words 'and held under a contract of tenancy made after the date of the passing of this Act.'"—(*Mr. Campbell.*)

Question proposed, "That the words proposed be there inserted in the Bill."

Mr. Courthope (Sussex, Rye) .. 480

Mr. Bryce 481
Mr. Walter Long 482
Mr. Charles Craig 484
Mr. Field (*Dublin, St. Patrick*) 485
Sir E. Carson 488
Mr. Cherry 489
Mr. Wyndham (*Dover*) 490

Mr. Bryce rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided :—Ayes, 287 ; Noes, 63. (Division List No. 418.)

Question put accordingly, "That those words be there inserted in the Bill."

The House divided :—Ayes, 58 ; Noes, 286. (Division List No. 419.)

And it being after Eleven of the clock further consideration of the Bill as amended (in the Standing Committee), stood adjourned.

Bill, as amended, to be further considered To morrow.

Whereupon Mr. Speaker adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at a quarter after Eleven o'clock.

HOUSE OF LORDS: TUESDAY, 20TH NOVEMBER, 1906.

Earldom of Norfolk.—Committee for Privileges to meet on Tuesday next, at Two o'clock.

The Earl of Rothes took the Oath.

PETITIONS.

Education (England and Wales) Bill.—Petitions against ; of inhabitants of parishes of Radcliffe (Lancashire), Barton (Cumberland) and Wrightington ; read, and ordered to lie on the Table 501

Education (England and Wales) Bill.—Petition for Amendment of ; of inhabitants of parish of Emmanuel, Clifton. Read, and ordered to lie on the Table 501

RETURNS, REPORTS, ETC.

Royal Hibernian Academy and Metropolitan School of Art, Dublin.—Report by Committee of Inquiry into the work carried on by the Royal Hibernian Academy and the Metropolitan School of Art Dublin ; together with minutes of evidence, appendices, and index 501

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TRADE REPORTS (ANNUAL SERIES).—No. 3732. France (Foreign Trade for 1905 and first six months of 1906). No. 3733. Mexico (Trade for 1905-1906).

Presented (by Command), and ordered to lie on the Table 501

BANK OF ENGLAND.—Return of the amount of notes issued more than forty years and outstanding on 31st October, 1906, which have been written off. Laid before the House (pursuant to Act), and ordered to lie on the Table .. 501

Education (England and Wales) Bill.

House again in Committee (according to order).

[The EARL OF ONSLOW in the Chair.]

Discussion resumed on following Amendment—

"To insert as a new clause:—'(1) The Board of Education may recognise as a State-aided school, efficiently contributing to the public education of the district in which is situated, any school which, though not a public elementary school provided by the local education authority fulfils the conditions laid down in the code of regulations for public elementary schools for the time being in force in regard to management, premises, accommodation, equipment, teaching staff, curriculum and inspection, and in respect of which an application is made to them for recognition by the managers. But it shall be a condition to any such recognition that—(*a*) The Board of Education are satisfied that the teachers are adequately remunerated, regard being had to the rate of salaries paid by the local education authority to teachers in public elementary schools in the area; (*b*) the managers guarantee the use and the cost of the upkeep of the school buildings and premises and all other cost of maintaining the school (except such part of the cost as may be defrayed by Parliamentary grants) for a period of three years, which guarantee shall be renewable from time to time; (*c*) the regulations contained in paragraphs one, two, and three of Section 7 of the Elementary Education Act, 1870 (a copy of which shall be conspicuously put up in the school) are complied with in the case of the school. (2) Where a school is recognised under this section as a State-aided school the Board of Education shall, notwithstanding anything in the Education Acts, 1870 to 1903, or in this Act, pay to that school the Parliamentary grants which would be payable in respect of the school or of the scholars attending the school if it were a public elementary school provided by the local education authority. (3) A State-aided school shall be treated as a public elementary school for the purpose of the Elementary School Teachers' (Superannuation) Act, 1898. (4) A State-aided school shall be under the control of the managers, who, in addition to their other powers of management, shall have power to make provision for giving religious instruction of some special character not permitted under Section 14 of the Elementary Education Act, 1870, and to charge school fees not exceeding ninepence per week, and to refuse admission to children for whom they have not sufficient accommodation or sufficient teaching staff. (5) A State-aided school and its registers shall at all reasonable times be open to the school attendance officers of the local education authority, but shall not be otherwise controlled or maintained by the authority. (6) Nothing in this section shall affect the power of a local education authority to provide such school accommodation in public elementary schools provided by it as it may consider desirable for any district in which a State-aided school is situated, and in so doing the authority shall have regard to the wishes of parents who do not desire their children to attend any such State-aided school."

Lord Avebury .. 503
Lord Zouche of Haryngworth .. 506
Lord Kinnaird .. 507
The Lord President of the Council (*The Earl of Crewe*) .. 509
Viscount Halifax .. 513
The Marquess of Lansdowne .. 515
The Lord Bishop of Southwark .. 517
Lord Stanley of Alderley .. 519
The Lord Archbishop of Canterbury .. 522

Amendment, by leave, withdrawn

Lord Heneage .. 523

Amendment moved—

"To insert the following new clause, 'In the case of all existing schools which may become provided schools under this Act, Sub-section 2 of Section 6 of the Education Act, 1902, shall be repealed, and it shall be enacted that two managers shall be nominated by the owners of the school, and two managers elected by the parents of the children, in addition to two managers nominated by the local authority.' "—(*Lord Heneage.*)

The Earl of Crewe .. 526
Viscount Goschen .. 527
The Under-Secretary of State for Foreign Affairs (*Lord Fitzmaurice*) .. 528
Lord Zouche of Haryngworth .. 529

Amendment, by leave, withdrawn—

Clause 14.

Viscount Llandaff .. 530

Amendment moved—

"In page 11, line 19, to leave out from the word 'Act' to the word 'or' in line 20."—(*Viscount Llandaff.*)

The Earl of Crewe .. 532
Viscount Llandaff .. 533
Lord Ashbourne .. 533
The Earl of Camperdown .. 534
The Earl of Crewe .. 534
Viscount Llandaff .. 535

On Question Amendment negatived.

Lord Barnard .. 535

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Amendment moved—

"In page 11, line 31, after the word 'school-house,' to insert the words 'or in the school carried on therein.'"—(*Lord Barnard.*)

The Earl of Crewe 537

Amendment, by leave, withdrawn.

Lord Clifford of Chudleigh 538

Amendment moved—

"In page 12, line 10, after the word 'facilities' to insert the words 'and application by parents to the Board of Education.'"—(*Lord Clifford of Chudleigh.*)

The Earl of Crewe 539

On Question Amendment agreed to.

Viscount Llandaff 539

Amendment moved—

"In page 12, lines 19 and 20, after the word 'education' to insert the following new sub-sections, '(6) If any question arises between the local education authority and the owners of the schoolhouse or the parents' committee of any school as to the use of the schoolhouse or as to the mode in which facilities for religious instruction are afforded, or as to damage (other than fair wear and tear) to the schoolroom or school furniture during the use of the schoolhouse for religious or secular instruction, or as to the appointment or dismissal of teachers, that question shall be referred to the Board of Education, whose decision shall be final, and it shall be the duty of the local education authority and of the owners and parents' committee, to comply therewith. (7) The powers of managers under Section 76 of the Elementary Education Act, 1870, shall after the passing of this Act be exercised by the parents' committee elected under this Act.'"—(*Viscount Llandaff*).

The Earl of Crewe 539
Viscount Llandaff 540
The Earl of Halsbury 541
The Earl of Crewe 541
Viscount Llandaff 542
The Earl of Crewe 543
The Marquess of Londonderry 543

Amendment, by leave, withdrawn.

Moved, "That Clause 14, as amended, stand part of the Bill."

The Earl of Camperdown 544
The Earl of Crewe 544

On Question, Clause 14, as amended, agreed to.

Clause 15 :—

The Earl of Dartmouth .. 545

Amendment moved—

"In page 12, line 23, to leave out 'shall' and insert 'may.'"—(*The Earl of Dartmouth.*)

Lord Hatherton .. 547
Viscount Cross .. 548
Lord Shuttleworth .. 549
Lord Belper .. 551
The Marquess of Londonderry .. 556
Lord Ribblesdale .. 558
The Earl of Crewe .. 559
Lord Zouch of Haryngworth .. 566
The Marquess of Lansdowne .. 567
Lord Ribblesdale .. 568
The Earl of Crewe .. 568
The Earl of Dartmouth .. 569

Amendment, by leave, withdrawn.

Lord Clifford of Chudleigh .. 569
Lord Belper .. 570

Amendment moved..

"In page 13, lines 1 and 2, to leave out the words 'representative body and to insert the words 'local education committee.'"—(*Lord Belper.*)

Lord Fitzmaurice .. 570
Lord Belper .. 573
Lord Harris .. 574
Viscount Cross .. 575
The Earl of Crewe .. 576
The Marquess of Lansdowne .. 579
The Earl of Crewe .. 580
Lord Belper .. 581

On Question, "That the words proposed to be left out stand part of the clause." Their Lordships divided :—Contents, 31 ; Not-Contents, 99.

On Question, "That the words 'local education committee' be there inserted," resolved in the affirmative.

Lord Belper .. 583

Amendment moved—

"In page 12, line 20, to leave out 'and' and to insert 'or by.'"—(*Lord Belper.*)

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The Earl of Crewe 583
Lord Clifford of Chudleigh 583
Lord Shuttleworth 584
Lord Belper 584

Amendment, by leave, withdrawn.

Consequential Amendments agreed to.

Lord Belper 548

Amendment moved—

"In page 13, lines 13 to 15, to leave out sub-section (3)."—(*Lord Belper.*)

Lord Fitzmaurice 585
The Earl of Camperdown 585

On Question, Amendment agreed to.
Lord Belper 586

Amendment moved—

"In page 13, line 18, to leave out from 'contiguous' to the end of line 41, and to insert as a new sub-section: 'Every scheme shall specify the constitution and, if necessary, the mode of election of the local education committees, and the powers and duties to be delegated to them.'" —(*Lord Belper.*)

The Earl of Crewe 587

On Question, Amendment agreed to.

Consequential Amendment agreed to.

The Earl of Crewe 588
The Earl of Camperdown 589
Lord Zouche of Haryngworth 589

Amendment moved—

"In page 14, line 14, to leave out from the word 'county' to the word 'pass' in line 16.—(*Lord Zouche of Haryngworth.*)

The Earl of Crewe 590

Amendment, by leave, withdrawn.

Consequential Amendments agreed to.

The Earl of Dartmouth 591

Amendment moved—

"In page 15, line 10, after 'area' to insert as new sub-sections: (11) Section 120 of the Local Government Act, 1888, which relates to compensation to existing officers, shall apply to any officers who, by virtue of this Act or anything done in pursuance or in consequence of this Act, shall suffer direct pecuniary loss by abolition of office or by diminution or loss of fees or salary, subject as follows: (*a*) Any reference in that section to the county council shall include a reference to a borough or urban district council; and (*b*) Any expenses shall be paid out of the fund or rate out of which the expenses of a council under this Act are paid, and if any compensation is payable otherwise than by way of an annual sum, the payment of that compensation shall be a purpose for which a council may borrow for the purposes of this Act. (12) Nothing in this clause shall prevent the local education authority from delegating to school committees, as constituted by this Act, any of its powers and duties which may be delegated under Section 1 of this clause.' "—(*The Earl of Dartmouth.*)

The Earl of Crewe 591
The Marquess of Londonderry 592

Amendment, by leave, withdrawn.

Moved, "That Clause 15, as amended, stand part of the Bill."

Lord Wenlock 593
The Earl of Crewe 594

On Question, Motion agreed to.

House resumed, and to be again in Committee To-morrow.

House adjourned at twenty-five minutes past Eleven o'clock till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS: TUESDAY, 20TH NOVEMBER, 1906.

The House met at a quarter before Three of the Clock.

NEW WRIT.—For the Borough of Huddersfield, in the room of Sir James Thomas Woodhouse, knight (a Commissioner of Railways).—(*Mr. Whiteley*) .. 594

PRIVATE BILL BUSINESS.

Blairgowrie, Rattray, and District Water Order Confirmation Bill.—Read the third time, and passed 594

Edinburgh Corporation (Superannuation) Order Confirmation Bill.—"To confirm a Provisional Order under The Private Legislation Proceduce (Scotland) Act, 1899, relating to Edinburgh Corporation(Superannuation)," presented by Mr. Sinclair, and ordered (under Section 7 of the Act) to be considered upon Thursday 594

MESSAGE FROM THE LORDS.—That they have agreed to, Clydebank and District Water and Burgh Extension Order Confirmation Bill, Metropolitan Electric Supply Bill.

Amendments to Dover Harbour (Works, etc.) Bill [Lords], without Amendment 595

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PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL (RELIGIOUS TEACHING).—Two Petitions from Wistanstow, against alteration of law; to lie upon the Table .. 595

LOCAL AUTHORITIES (QUALIFICATION OF WOMEN) BILL.—Petition from Mile End, in favour; to lie upon the Table 595

PARLIAMENTARY FRANCHISE.—Petitions for extension to women from Bromham; Crossgates; Leytonstone; and Teignmouth; to lie upon the Table .. 595

RETURNS, REPORTS, ETC.

ROYAL HIBERNIAN ACADEMY AND METROPOLITAN SCHOOL OF ART, DUBLIN.—Copy presented, of Report by the Committee of Inquiry into the work carried on by the Royal Hibernian Academy and the Metropolitan School of Art, Dublin, together with Minutes of Evidence, Appendices, and Index (by Command); to lie upon the Table 595

SCIENTIFIC SOCIETIES (GOVERNMENT GRANTS).—Return presented, relative thereto (ordered 25th July; Mr. Gulland); to lie upon the Table 595

BANK OF ENGLAND.—Copy presented, of Return of the amount of notes issued more than forty years which have not been presented for payment, and which have been written off on the 13th November, 1906, from the total amount of Notes issued from the Issue Department of the Bank of England (by Act); to lie upon the Table 596

TRADE REPORTS (ANNUAL SERIES).—Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 3732 and 3733 (by Command); to lie upon the Table 596

COOLIE LABOUR.—Return presented, relative thereto (Address 26th March; Mr. Nield); to lie upon the Table, and to be printed. (No. 357.)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

SEAMEN, MARINES, AND STOKERS IN ROYAL NAVAL BARRACKS ON 4TH AND 5TH NOVEMBER.—Question, Mr. Bellairs (Lynn Regis); Answer, Mr. Edmund Robertson 596

GRIEVANCE OF MR. W. J. TAPLING, TOWN POSTMAN AT BIRKENHEAD. Question, Mr. James O'Connor (Wicklow, W.); Answer, Mr. Sydney Buxton 597

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WEST AFRICAN RAILWAYS.—Question, Sir William Holland (Yorkshire, W.R, Rotherham); Answer, Mr. Churchill 598

ENDOWMENT OF THE BISHOPRIC OF SINGAPORE.—Question, Mr. Massie (Wiltshire, Cricklade); Answer, Mr. Churchill 599

POSTAL DELIVERIES AT CARRIGALLEN.—Question, Mr. Thomas T. Smyth (Leitrim, S.); Answer, Mr. Sydney Buxton 599

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IMPRISONMENT FOR CONTEMPT OF COURT.—Question, Sir Samuel Scott (Marylebone, W.); Answer, Sir John Walton 599

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PURCHASE OF THE EARL OF DROGHEDA'S ESTATE, QUEEN'S COUNTY—ARREARS OF RENT.—Question, Mr. Delany (Queen's County, Ossory); Answer, Mr. Bryce 601

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FLOGGING IN THE NAVY.—Question, Mr. Bryce (Salford, N.); Answer, Mr. Edmund Robertson 604

TRISTAN DA CUNHA.—Question, Mr. Hicks-Beach (Gloucestershire, Tewkesbury); Answer, Mr. Edmund Robertson 604

CONTRACTORS AND ADMIRALTY SECRETS.—Question, Mr. Chiozza Money (Paddington, N.); Answer, Mr. Edmund Robertson 604

MANUFACTURE OF GUNS AT WOOLWICH ARSENAL.—Question, Mr. Bellairs (Lynn Regis); Answer, Mr. Edmund Robertson 605

GERMAN GUN AND TORPEDO MANUFACTURES.—Question, Mr. Bellairs; Answer, Mr. Edmund Robertson 605

CRIMEAN VETERANS—CASE OF W. GEOGHEGAN OF TULLAMORE.—Question, Mr. Delany (Queen's County, Ossory); Ansewr, The Secretary of State for War (Mr. Haldane, Haddington) 605

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Police Protection at Miltown Malbay.—Question, Mr. Halpin; Answer, Mr. Bryce 616

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LAND SUB-COMMISSIONERS AT BIRR.—Question, Mr. Reddy (King's County, Birr); Answer, Mr. Bryce 620

BANKRUPT EVICTED TENANTS.—Questions, Mr. Dillon, Mr. James Campbell (Dublin University), Sir E. Carson (Dublin University); Answers, The Attorney-General for Ireland (Mr. Cherry, Liverpool, Exchange) 621

MRS. HUNDE'S KILLESHANDRA ESTATE.—Question, Mr. Vincent Kennedy (Cavan, W.); Answer, Mr. Bryce 623

AVA EVICTION.—Question, Mr. Walter Long (Dublin, S.); Answer, Mr. Bryce .. 623

POTATOES AND MOTOR SPIRIT.—Question, Mr. Ferens (Hull, E.); Answer, Mr. Bryce 624

NORTH KERRY EVICTED TENANTS.—Question, Mr. Flavin (Kerry, N.); Answer, Mr. Bryce 624

IMPRISONMENT OF CHILDREN.—Question, Mr. Hugh Law (Donegal, W.); Answer, Mr. Bryce 625

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MARYBOROUGH CONVICT PRISON.—Question, Mr. Hugh Law; Answer, Mr. Bryce 626

IRISH POTATO CROP.—Questions, Mr. Thomas O'Donnell (Kerry, W.), Mr. Dillon; Answer, Mr. Bryce 627

TRANSVAAL—DEPRECIATION OF PROPERTY VALUES.—Questions, Sir Howard Vincent, Mr. J. Ward (Stoke-on-Trent), Mr. Bonar Law (Camberwell, Dulwich), Mr. Seaverns (Lambeth, Brixton), Mr. Flavin; Answers, The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 628

ROYAL NAVY LIST.—Question, Sir Gilbert Parker (Gravesend); Answer, Mr. Edmund Robertson 630

Merchant Shipping Acts Amendment (No. 2) Bill.—As amended, on consideration, to be printed [Bill 354] 633

NEW BILL.

Supply of Electricity Bill.—" To amend the Acts relating to Electric Lighting," presented by Mr. Kearley; supported by Mr. Lloyd-George; to be read a second time upon Monday next, and to be printed. [Bill 355] .. 633

Town Tenants (Ireland) Bill.—As amended (by the Standing Committee) further considered.

Mr. Carlile (Hertfordshire), St. Albans 633

Amendment proposed—

"In page 1, line 10, to leave out the words 'or his predecessors in title' and insert the words 'or in which he has with the assent of the landlord acquired the interest.'"—(*Mr. Carlile.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

The Attorney-General for Ireland (Mr. Cherry, Liverpool, Exchange) .. 634
Sir Frederick Banbury (City of London) 635
Lord R. Cecil (Marylebone, E.) 636
The Chief Secretary for Ireland (Mr. Bryce, Aberdeen, S.) 638
Mr. A. J. Balfour (City of London) 640
Mr. Mooney (Newry) 643
Mr. Rawlinson (Cambridge University) 645

Amendment negatived.

Mr. James Campbell (Dublin University) 646

Amendment proposed to the Bill—

"In page 1, line 10, after the word 'title' to insert the words 'subsequent to the date of the passing of this Act.'"—(*Mr. James Campbell.*)

Question proposed, 'That those words be there inserted in the Bill."

Mr. Cherry 651
Captain Craig (Down, E.) 653
Mr. T. Hart-Davies (Hackney, N.) 654
Mr. Wyndham (Dover) 655
Viscount Castlereagh (Maidstone) 656
Mr. Walter Long 657
Sir Frederick Banbury 658
Mr. Bryce 660
Mr. Charles Craig 661

Question put.

The House divided :—Ayes, 89 ; Noes, 329. (Division List No. 420).

Viscount Helmsley (Yorkshire, N.R., Thirsk) 667

Amendment proposed to the Bill.

"In page 1, line 10, after the word 'title,' to insert the words 'which he shall have paid for on his entry.'"—(*Viscount Helmsley.*)

Question proposed "That those words be there inserted in the Bill."

Mr. Cherry 667
Sir E. Carson (Dublin University) 668
Mr. Bryce 668
Lord R. Cecil 669
Mr. Dillon (Mayo, E.) 669
Mr. James Campbell 669
Sir Frederick Banbury 670

Question put.

The House divided :—Ayes, 83 ; Noes, 32. (Division List No. 421.)

Mr. Rawlinson (Cambridge University) 675
Mr. Clavell Salter (Hants, Basingstoke) 675

Amendment proposed to the Bill—

"In page 1, line 10, after the word 'title' to insert the words 'with the consent of the landlord.'"

Question proposed, "That those words be there inserted in the Bill."

Mr. Cherry 675
Mr. A. J. Balfour 677
Mr. James Campbell 678
Mr. Dillon 680
Sir Francis Lowe (Birmingham, Edgbaston) 680

Question put.

The House divided :—Ayes, 66 ; Noes, 296. (Division List No. 422.)

Amendment proposed to the Bill—

"In page 1, line 10, after the word 'which,' to insert the words 'at the date of such claim.'"—(*Mr. James Campbell.*)

Question, "That those words be there inserted in the Bill," put, and agreed to.

Lord R. Cecil 685

Amendment proposed to the Bill—

"In page 1, line 11, after the word 'holding' to insert the words 'for the purpose for which it is let, or proposed to be let, to any succeeding tenant.'"—(*Lord R. Cecil.*)

Question proposed "That those words be there inserted in the Bill."

Mr. Cherry 686
Sir E. Carson 686
Mr. Clavell Salter 687
Mr. Clancy 688

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Mr. Cave (Surrey Kingston) .. 689
Mr. Parker (Halifax) .. 690
Captain Craig (Down, E.) .. 690
Mr. Bryce .. 691
Mr. Bowles (Lambeth, Norwood) .. 691

Question put.

The House divided :—Ayes, 40 ; Noes, 267. (Division List No. 423.)

Mr. James Campbell .. 695

Amendment proposed to the Bill—

"In page 1, line 13, after the word 'landlord,' to insert the words 'but in no case shall the compensation payable exceed the cost of such improvements.'"—(*Mr. James Campbell.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Bryce .. 695
Mr. Charles Craig .. 696
Mr. J. F. Mason (Windsor) .. 697
Sir Frederick Banbury .. 698
Viscount Castlereagh .. 698

Question put.

The House divided :—Ayes, 42 ; Noes, 274. (Division List No. 424.)

Mr. Charles Craig .. 701
Sir Frederick Banbury .. 702

Amendment proposed to the Bill—

"In page 1, line 13, after the word 'landlord,' to insert the words, 'provided that no claim for compensation shall lie where the improvement is of a less value than twenty pounds.'"—(*Mr. Charles Craig.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Dillon .. 703
Mr. James Campbell .. 704
Mr. Bryce .. 705
Viscount Castlereagh .. 706

Question put.

The House divided :—Ayes, 59 ; Noes, 284. (Division List No. 425.)

Mr. Rawlinson .. 709

Amendment proposed to the Bill—

"In page 1, line 13, after the word 'landlord,' to insert the words, 'provided that the granting of a lease for ninety-nine years and upwards shall be considered as compensation for all improvements made before the granting of such lease.'"—(*Mr. Rawlinson.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Clancy .. 710
Mr. Barrie (Londonderry, N.) .. 711
Mr. Buckmaster (Cambridge) .. 712
Mr. Dillon .. 712
Sir E. Carson .. 713
Mr. Cherry .. 715
Mr. William Rutherford (Liverpool, West Derby) .. 715
Sir Francis Lowe .. 716
Mr. Glendinning (Antrim, N.) .. 716
Mr. James Campbell .. 717
Mr. Bryce .. 718
Sir Henry Kimber (Wandsworth) .. 718

Amendment, by leave, withdrawn.

MR. BRYCE claimed to move, "That the Question 'That the words of the Bill to the word 'tenancy,' inclusive, in page 2, line 2, stand part of the Bill,' be now put."

Question put, "That the Question 'That the words of the Bill to the word 'tenancy,' inclusive, in page 2, line 2, stand part of the Bill,' be now put."

The House divided:—Ayes, 312; Noes, 67. (Division List No. 426.)

Question put accordingly, "That the words of the Bill to the word 'tenancy' in page 2, line 2, stand part of the Bill."

The House divided:—Ayes, 316; Noes, 66. (Division List No. 427.)

And, it being after Eleven of the clock, Further Consideration of the Bill, as amended (by the Standing Committee), stood adjourned.

Bill, as amended, to be further considered to-morrow.

Whereupon MR. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at five Minutes after Eleven o'clock.

HOUSE OF LORDS: WEDNESDAY, 21ST NOVEMBER, 1906.

PETITION.

EDUCATION (ENGLAND AND WALES) BILL.—Petition against; of inhabitants of Cowden; read, and ordered to lie on the Table.

NEW HEBRIDES CONVENTION.

The Earl of Jersey .. 729
The Secretary of State for the Colonies (The Earl of Elgin) .. 729

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CHINESE IN THE TRANSVAAL—MR. BUCKNILL'S REPORT.

Lord Harris 729
The Earl of Elgin 729

Education (England and Wales) Bill.—House again in Committee (according to Order.)

[The Earl of ONSLOW in the Chair.]

Clause 17 :—

Lord Barnard 730

Amendment moved—

"In page 16, line 30, after the word 'fix' to insert the words 'notwithstanding anything contained in Section 69 of the Local Government Act, 1888, a county council may borrow by way of mortgage for the purposes of the Education Act for the whole or part of any period authorised by the Local Government Board.'"—(*Lord Barnard.*)

The Lord President of the Council (*The Earl of Crewe*) 731

Amendment, by leave, withdrawn.

Clause 17 agreed to.

Clause 18 :—

Lord Avebury 732

Amendment moved—

"In page 16, line 34, after the word 'operate' to insert the words 'but before any increase is made to the existing rate, or any loan is raised for the purpose of education other than elementary in any county borough, borough, or district, it shall be ascertained by a poll of the ratepayers within the said county borough, borough or district that a majority of such ratepayers are in favour of the increase or loan.'"—(*Lord Avebury.*)

The Earl of Crewe 735
The Under-Secretary of State for Foreign Affairs (*Lord Fitzmaurice*) .. 737
Lord Stanley of Alderley 738
Viscount Cross 739
Lord Avebury 739

On Question, Amendment negatived.

Clause 18 agreed to.

Clauses 19 to 23 agreed to.

Clause 24 :—

The Earl of Jersey 793

Amendment moved—

"In page 18, line 28, after the word 'place,' to insert the words 'provided that in any exercise of powers under this section the local education authority may encourage and assist the establishment or continuance of voluntary agencies, and associate with itself representatives of voluntary associations for the purpose.'"—(*The Earl of Jersey.*)

The Marquess of Londonderry 740
Lord Reay 741
The Earl of Crewe 741

On Question, Amendment agreed to.

Lord Belper 741

Amendment moved—

"In page 18, line 29, to leave out from the beginning of paragraph (*b*) to the second ': the in line 32."—(*Lord Belper.*)

Lord Harris 744
Lord Farrer 744
The Lord Bishop of Ripon 744
Lord Heneage 747
The Earl of Meath 747
The Earl of Crewe 748
The Marquess of Lansdowne 750
Lord Belper 751
Lord Fitzmaurice 752
Viscount Goschen 753

Amendment, by leave, withdrawn.

The Lord Bishop of Ripon. 754

Amendment moved—

"In page 18, line 30, after the word 'to, to insert the words 'and of their leaving.'"—(*The Lord Bishop of Ripon.*)

The Earl of Crewe 754

Amendment, by leave, withdrawn.

Amendment moved—

"In page 18, line 32, to leave out 'power' and to insert 'duty."'—(*The Lord Bishop of Ripon.*)

The Earl of Crewe 754

Amendment, by leave, withdrawn.

The Lord Bishop of Ripon 755

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Amendment moved—

"In page 18, line 34, to leave out the words 'attending to' and insert the word 'supervising.'"—(*The Lord Bishop of Ripon.*)

The Earl of Crewe 755

Amendment, by leave, withdrawn.

On Question, That Clause 24, as amended, stand part of the Bill.

The Lord Bishop of Bath and Wells 755

On Question, Clause 24, as amended, agreed to.

Lord Belper 756

Amendment moved—

"To insert the following new clause:—'When a local education authority provides means of conveyance for a child between a reasonable distance of its home and a public elementary school, it shall not be a reasonable excuse for the purposes of Section 74 of the Elementary Education Act, 1870, that there is no public elementary school open which such child can attend within three miles of its residence.'"—(*Lord Belper.*)

The Earl of Crewe 757

Amendment, by leave, withdrawn.

Amendment moved—

"To insert as a new clause: 'When a local education authority provides means for conveyance for a child between a reasonable distance of its home and a public elementary school it shall not be a reasonable excuse for the purposes of the Section 74 of the Elementary Education Act of 1870, or Section 11 of the Act of 1876, or, the grant of exemption or the purposes of Section 9 of the latter Act, that there is no public elementary school open which such child can attend within the distance of its residence prescribed by these sections or by any by-law made under Section 74 of the Education Act of 1870.'"—(*The Earl of Crewe.*)

On Question, New Clause agreed to.

Lord Montagu of Beaulieu 758

Amendment moved—

"To insert the following new clause: 'Every public elementary school shall, after the passing of this Act, fly the Union Jack during school hours.'"—(*Lord Montagu of Beaulieu.*) .. ..

The Earl of Meath 759
Lord Monkswell 760
The Earl of Crewe 761

Lord Stanley of Alderley 762
Lord Montagu of Beaulieu 764
Viscount St. Aldwyn 764

On Question Amendment negatived.

Clause 25 :—

The Lord Bishop of Hereford 765

Amendment moved—

"In page 19, line 3, after the word 'cease' to insert the words 'provided that within a reasonable period, (*a*) there shall be constituted by Order in Council a Teachers' Registration Council representative of the teaching profession, charged with the duty of farming and keeping a register of teachers qualified to teach in schools and other similar institutions.' "—(*The Lord Bishop of Hereford.*)

The Lord Bishop of Bristol 770
Lord Monkswell 772

Amendment moved—

"In page 19, line 3, after the word 'cease' to insert the words 'provided that it shall be lawful for His Majesty by Order in Council to constitute a Registration Council representative of the teaching profession, to whom shall be assigned the duty of forming and keeping a register of such teachers as satisfy the conditions of registration established by the Council for the time being, and who apply to be registered. The register shall contain the names and addresses of all registered teachers in alphabetical order in one column, together with the date of their registration, and such further statement as regards their attainments, training, and experience as the Council may from time to time determine that it is desirable to set forth.' "—(*Lord Monkswell.*)

Lord Ashbourne 774
Lord Clifford of Chudleigh 774
Lord Reay 774
The Lord Bishop of Hereford 778

Amendment, by leave, withdrawn.

On Question, Lord Monkswell's Amendment agreed to.

Clause 25, as amended, agreed to.

Clause 26 :—

Earl Cawdor 779

Amendment moved—

"To leave out Clause 26."—(*Earl Cawdor.*)

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Lord Rendel 790
The Lord Bishop of St. Davids 795
The Earl of Dunraven 802

House resumed, and to be again in Committee to-morrow.

Blairgowrie, Rattray, and District Water Order Confirmation Bill.—Brought from the Commons; read 1ª; and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899) deemed to have been read 2ª—(*The Lord Hamilton of Dalzell*); and reported from the Committee 805

House adjourned at ten minutes past Eleven o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS: WEDNESDAY, 21st NOVEMBER, 1906.

The House met at a quarter before Three of the clock.

PETITIONS.

Scottish Coast Fisheries (Development).—Petition from the Free Church of Scotland, for inquiry by a Royal Commission; to lie upon the Table .. 806

RETURNS, REPORTS, ETC.

Scientific Societies (Government Grants).—Return [presented 20th November] to be printed. [No. 358] 806

London (Equalisation of Rates) Act, 1894 (Accounts under Section 1 (7) of the Act.—Return ordered, "showing, according to the accounts for the twelve months preceding the 31st day of March, 1906, furnished to the Local Government Board under Section 1 (7) of The London (Equalisation of Rates) Act, 1894:—(1) The amounts paid during the year out of the Equalisation Fund under the Act to the Corporation of the City of London and each of the Councils of the Metropolitan Boroughs to whom payments out of the fund were made; (2) The amount of the expenses incurred during the year by each of these authorities (a) under The Public Health (London) Act, 1891 (including expenses of scavenging streets); (b) in respect of lighting; and (c) in respect of streets (other than the expenses of scavenging); and (3) The amount expended during the year by each such authority out of the sums received by them under the Act (in continuation of Parliamentary Paper, No. 277, of Session 1905)."—(*Mr. Runciman*) 806

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Royal Marines—Privilege of Wearing Plain Clothes.—Question, Mr. John Benn (Devonport); Answer, Mr. Edmund Robertson 807

Overseers and Senior Telegraphists at Central Telegraph Office—Vacant Appointments.—Question, Mr. Goddard Clarke (Camberwell, Peckham); Answer, Mr. Sydney Buxton 807

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Irish National Education—Junior Assistant Mistresses and Kindergarten Training.—Question, Mr. John O'Connor (Kildare, N.); Answer, Mr. Bryce 807

District Railway Fares.—Question, Mr. Claude Hay (Shoreditch, Hoxton); Answer, Mr. Lloyd-George 808

Purchase of the O'Connell and Huddleston Estates, County Cork.—Question, Mr. Flynn (Cork, N.); Answer, Mr. Bryce 808

Reinstatement of Miss Kate Scanlan on the Blacker Douglas Estate, County Kerry.—Question, Mr. O'Shaughnessy (Limerick, W.); Answer, Mr. Bryce 809

Dog Stamps.—Question, Mr. McKillop (Armagh, S.); Answer, Mr. Bryce .. 809

Colonial Survey Committee.—Question, Sir Charles Dilke (Gloucestershire, Forest of Dean); Answer, Mr. McKenna 810

Railway Construction—Interest Payments.—Question, Mr. Hyde, (Wednesburg); Answer, Mr. Lloyd-George 810

New Railway Commissioner's Salary.—Question, Viscount Castlereagh (Maidstone); Answer, Mr. Lloyd-George 811

Technological Institute.—Question, Mr. Massie (Wiltshire, Cricklade); Answer, Mr. Birrell 811

Expense of Training Midwives.—Question, Mr. W. Hope (Somersetshire, Answer, Mr. John Burns 811

Clerks to Surveyors of Taxes.—Question, Mr. Watt (Glasgow College); Answer, Mr. Asquith 812

Pay of Colour Sergeants of Militia Battalions.—Question, Mr. Fetherstonhaugh (Fermanagh, N.); Answer, Mr. Haldane 812

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Reason of Delays in Issuing Return of Naval Expenditure.—Question, Viscount Turnour (Sussex, Horsham); Answer, The Secretary to the Admiralty (Mr. Edmund Robertson, Dundee) 813

The Coast Guard.—Question, Mr. Cathcart Wason (Orkney and Shetland); Mr. Edmund Robertson 814

Volunteer Camps.—Question, Mr. McCrae (Edinburgh, E.); Answer, The Secretary of State for War (Mr. Haldane, Haddington) .. .. .. 81.

Army Reservists' Pensions.—Question, Sir Robert Ropner (Stockton); Answer, Mr. Haldane 815

Royal Arsenal, Woolwich.—Questions, Mr. Crooks (Woolwich) and Mr. Walters (Sheffield, Brightside); Answer, Mr. Haldane 815

The Scots Greys.—Question, Mr. Mitchell-Thomson (Lanarkshire, N.W.); Answer, Mr. Haldane 816

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EX-SOLDIERS IN IRISH WORKHOUSES.—Question, Mr. Vincent Kennedy (Cavan, W.) and Mr. Flavin (Kerry, N.); Answer, Mr. Haldane 818

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TRANSVAAL CHINESE ORDINANCE.—Questions, Sir Gilbert Parker (Gravesend) and Mr. William Rutherford (Liverpool, West Derby); Answer, Mr. Churchill 820

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NEW HEBRIDES.—Question, Mr. Gilbert Parker; Answer, Mr. Churchill 822

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LORD LISTOWEL'S NORTH KERRY ESTATE.—Questions, Mr. Flavin; Answers, Mr. Bryce 829

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MR. MONTGOMERY'S UNTENANTED LANDS AT KILLUCAN.—Question, Mr. Ginnell; Answer, Mr. Bryce 831

ARREARS OF LAND PURCHASE ANNUITIES.—Question, Mr. Charles Craig (Antrim, S.); Answer, Mr. Bryce 831

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ALLEGED INTIMIDATION IN GALWAY.—Questions, Mr. Lonsdale and Mr. Flavin; Answers, Mr. Bryce 834

SIR ANTONY MACDONNELL.—Questions, Captain Craig (Down, E.); Answer, Mr. Bryce 835

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NEWRY TROUBLES.—Questions, Captain Craig, and Mr. Mooney (Newry); Answers, Mr. Bryce 836

TULLYVIN DISPENSARY DOCTOR.—Question, Mr. Fetherstonhaugh (Fermanagh, N.); Answer, Mr. Bryce 837

IRISH LAND SALES.—Question, Mr. J. M. Robertson (Northumberland, Tyneside); Answer, Mr. Bryce 838

MALICIOUS INJURY CLAIMS IN COUNTY ROSCOMMON.—Questions, Mr. Lonsdale; Answers, Mr. Bryce 838

MULLARANNY TO BELMULLET RAILWAY.—Question, Mr. Walter Long (Dublin, S.); Answer, Mr. Bryce 839

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Irish Agricultural Organisation Society.—Question, Mr. Dillon (Mayo, E.); Answer, Mr. Bryce 839

Irish Poor Law Reform Commission.—Question, Mr. Lonsdale; Answer, Mr. Bryce 840

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Longford Telegraphists' Grievance.—Question, Mr. J. P. Farrell (Longford, N.); Answer, Mr. Sydney Buxton 841

Chinese in the Transvaal.—Questions, Sir W. Evans-Gordon (Tower Hamlets, Stepney), Lord Balcarres, Mr. Mackarness (Berkshire, Newbury), Mr. T. L. Corbett, Sir Howard Vincent (Sheffield, Central); Answers, The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 841

Woman Suffrage.—Questions, Mr. O'Shaughnessy (Limerick, W.); Viscount Turnour; Answer, Sir H. Campbell-Bannerman 43

Small Landholders (Scotland) Bill.—Questions, Mr. Morton, Mr. Cathcart Wason; Answers, Sir H. Campbell-Bannerman 844

Business in the House.—Question, Sir H. Acland-Hood (Somersetshire, Wellington), Sir Edward Sassoon (Hythe); Answer, Sir H. Campbell-Bannerman 845

Business of the House.—Ordered, That the proceedings on the further consideration of the Town Tenants (Ireland) Bill, as amended, if under consideration at Eleven o'clock this night, be not interrupted under the Standing Order (Sittings of the House).—(*Sir H. Campbell-Bannerman.*)

Town Tenants (Ireland) Bill.—As amended (by the Standing Committee), further considered.

Sir Frederick Banbury (*City of London*) 846

Amendment proposed to the Bill—

"In page 2, line 3, to leave out the words 'with the right to the tenant to dispose of his interest therein.'"—(*Sir Frederick Banbury.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Colonel Kenyon-Slaney (*Shropshire, Newport*) 848
Mr. James Campbell (*Dublin University*) 848
The Attorney-General for Ireland (*Mr. Cherry, Liverpool, Exchange*) .. 849
Mr. J. F. Mason (*Windsor*) 851
Mr. Fell (*Great Yarmouth*) 852

Amendment negatived.

Mr. James Campbell 852

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Amendment proposed to the Bill—

"In page 2, line 4, at the end, to insert the words 'or that the landlord has upon such terms as the Court may deem reasonable, either offered to purchase the interest of the outgoing tenant in such improvement or has given him permission to dispose of his interest therein to an incoming tenant.'"—(*Mr. James Campbell.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Cherry 853
Sir E. Carson (Dublin University) 854

Question put.

The House divided :—Ayes, 77 ; Noes, 336. (Division List No. 428).

Sir Frederick Banbury 859

Amendment proposed to the Bill—

"In page 2, line 5, to leave out Sub-section (2) of Clause 2."—(*Sir Frederick Banbury.*)

Question proposed, "That Sub-section (2) of Clause 2 stand part of the Bill."

Mr. Cherry 859

Question put, and agreed to.

Mr. Clancy (Dublin County, N.) 860

Amendment proposed to the Bill—

"In page 2, line 14, after the word 'writing' to insert the words 'made before the passing of this Act.'"—(*Mr. Clancy.*)

Question proposed, "That those words be there inserted in the Bill.'

Mr. Clavell Salter (Hants, Basingstoke) 862
Mr. Dillon (Mayo, E.) 862
Mr. James Campbell 863
Mr. Cherry 864
Mr. John Redmond (Waterford) 867

Amendment, by leave, withdrawn.

Mr. Cherry 868

Amendment proposed to the Bill—

"In page 2, after line 15, to insert the words, '(4) A tenant shall not be entitled to any compensation in respect of any improvement made before or after the passing of this Act in pursuance of a contract entered into for valuable consideration.'"—(*Mr. Cherry.*)

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Question proposed, "That those words be there inserted in the Bill."

Mr. Clancy 869

Question put and agreed to

Mr. James Campbell 870

Amendment proposed to the Bill—

"In page 2, line 15, at the end, to insert the words 'a tenant shall not be entitled to claim compensation for any improvement except permanent buildings unless made within twenty years before the date of such claim.' "—(*Mr. James Campbell.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Cherry 872

Amendment to the Bill amended, by inserting, after the word 'improvement,' the words 'made before the passing of this Act.' "

Proposed words, as amended, there inserted in the Bill.

Colonel Kenyon-Slaney 872
Captain Craig (*Down, E.*) 873

Amendment proposed to the Bill—

"In page 2, line 15, after the words last inserted, to insert the words 'or in respect of any improvements made without the consent of the landlord during the last two years of the tenancy.' "—(*Col. Kenyon-Slaney.*)

Question proposed, "That those words be there inserted in the Bill."

The Chief Secretary for Ireland (*Mr. Bryce, Aberdeen, S.*) 874
Sir E. Carson 875
Mr. Charles Craig 876
Mr. Clavell Salter 876
Sir Frederick Banbury 877
Col. Kenyon-Slaney 877
Mr. Cherry 877

Amendment, by leave, withdrawn.

Mr. Carlisle (*Herts, St. Albans*) 878
Lord R. Cecil (*Marylebone, E.*) 877

Amendment proposed to the Bill—

"In page 2, line 20, after the word 'improvements,' to insert 'and shall apply to the Court for directions as to what further notice of the proposed improvement shall be given and in what manner and to what persons.' "—(*Mr. Carlile*).

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Question proposed, "That those words be there inserted in the Bill."

Mr. Cherry 878
Mr. James Campbell 879
Mr. Clavell Salter 879
Mr. Wyndham (Dover) 879

Amendment, by leave, withdrawn.

Mr. Carlile 880
Lord R. Cecil 880

Amendment proposed to the Bill—

"In page 2, line 21, after the words 'three months,' to insert the words 'or such further time as the Court shall prescribe.'"—(*Mr. Carlile.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Cherry 880

Question put and negatived.

Viscount Castlereagh (Maidstone) 881
Sir Frederick Banbury 881

Amendment proposed to the Bill—

"In page 2, line 28, after the word 'holding,' to insert the words 'to an extent commensurate with the proposed outlay.'"—(*Viscount Castlereagh.*)

Question proposed, "That those words be there inserted in the Bill."

Mr Bryce 882
Sir E. Carson 882
Mr. Clavell Salter 883
Mr. James Campbell 883

Amendment, by leave, withdrawn.

Mr. Charles Craig 883

Amendments proposed to the Bill—

"In page 2, line 28, after 'is,' to insert the words 'reasonable and.'"—(*Mr. Charles Craig.*)

Question, "That those words be there inserted in the Bill," put, and agreed to.

Amendment proposed to the Bill—

"In page 2, line 28, after the word 'thereof' to insert the words and will not diminish the letting value of any other property of the same landlord.'"—(*Mr. James Campbell.*)

"In page 2, line 34, to leave out the word 'may,' and insert the word 'shall.'"—(*Mr. Clancy.*)

"In page 2, line 35, after the second 'and' insert the word 'may.'"—(*Mr. Clancy.*)

Amendments agreed to.

Amendment proposed to the Bill—

"In page 2, line 37, after the word 'or,' to insert the words 'at the election of the tenant.'"—(*Mr. Clancy.*)

Mr. Clancy 884

Amendment agreed to—

Mr. Clancy 884

Amendment proposed to the Bill—

"In page 2, line 40, after the word 'annum,' insert the words 'or on so much of the outlay as shall be from time to time due.'"—(*Mr. Clancy.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. Cherry 885
Sir Frederick Banbury 885

Amendment by leave withdrawn

Viscount Castlereagh 886

Amendment proposed to the Bill—

"In page 2, line 42, at the end, to insert the words, '(3) A landlord of a holding may, at any time during the continuance of a tenancy therein, send notice to the tenant, in the prescribed manner, requiring him to make any improvement in the holding which may seem to the landlord calculated to enhance or necessary to maintain the character or letting value of the holding. The landlord shall send with such notice a specification or plan of the proposed improvement, and if the tenant does not within three months after the receipt of the notice send notice to the landlord, in the prescribed manner, undertaking to make the proposed improvement himself, the landlord may proceed to make the improvement, and may charge the tenant with a sum not exceeding five pounds per centum per annum on the outlay incurred in executing the improvement, or not exceeding such annual sum payable for a period of twenty five years as will repay such outlay in the said period, with interest at the rate of three pounds per centum per annum, and such annual sum shall be recoverable as rent. But if the tenant sends notice to the landlord, in the prescribed manner, refusing to make the proposed improvement and objecting to same being made, or if, having undertaken to make same he fails to execute the improvement within a reasonable time, the landlord, may in the prescribed manner apply to the Court, and the Court may, if satisfied that the improvement is

calculated to enhance or necessary to maintain the character or letting value of the holding, sanction the making of the proposed improvement by the landlord and may make any modifications in the specification or plan that the Court may think fit.' "—(*Viscount Castlereagh.*)

Question proposed, " That those words be there inserted in the Bill."

Mr. Bryce ..	888
Sir E. Carson	888
Sir Frederick Banbury	890
Mr. A. J. Balfour ..	891
Mr. Cherry	892

Question put.

The House divided :—Ayes, 55 ; Noes, 316. (Division List No. 429).

Amendments proposed to the Bill—

" In page 3, line 6, after the word ' Acts ' to insert the words ' 1878 to 1800.' "—(*Mr. Cherry*)

" In page 3, line 7, to leave out the word ' Acts ' and insert the words ' (Ireland) Acts, 1890 to 1900.' "—(*Mr. Cherry.*)

Amendments agreed to.

Viscount Castlereagh	897
Mr. Charles Craig	897

Amendment proposed to the Bill—

" In page 3, line 13, at the end, to insert the words ' the landlord of a holding, or any person authorised by him, may at all reasonable times enter on the holding, or any part of it, for the purpose of viewing the state of the holding.' "—(*Viscount Castlereagh.*)

Question proposed, " That those words be there inserted in the Bill."

Mr. Cherry ..	898

Amendment, by leave, withdrawn.

Amendment proposed to the Bill—

" In page 3, line 13, at end, to add the words ' The landlord of a holding, or any person authorised by him, may at all reasonable times enter on the holding, or any part of it, for the purposes of this Act."—(*Viscount Castlereagh.*)

Question, " That those words be there inserted in the Bill ",—put. and agreed to.

Amendment proposed to the Bill—

" In page 3, line 24, at the end, to insert the words, ' or his agent.' "—(*Mr. Charles Craig.*)

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Question, "That those words be there inserted in the Bill"—put, and agreed to.

Mr. Clavell Salter 899

Amendment proposed to the Bill—

"In page 3, line 25, to leave out the word 'the,' and insert the words, 'proposed improvements or.'"—(*Mr. Clavell Salter.*)

Question proposed, "That the word 'the' stand part of the clause."

Sir E. Carson 899
Mr. Cherry 900

Amendment agreed to.

Mr. Carlisle 900
Mr. Charles Craig 901

Amendment proposed to the Bill—

"In page 3, line 32, at the end to, insert the words, 'The superior or any mesne landlord shall have the right to make the improvement as if he were the immediate landlord of the occupying tenant in priority to any landlord standing between him and the tenant.'"—(*Mr. Carlile.*)

Question, proposed, "That those words be there inserted in the Bill."

Mr. Cherry 901
Mr. James Campbell 902

Question put.

The House divided:—Ayes, 44; Noes, 272. (Division List No. 430.)

On Clause 5 (Compensation for unreasonable disturbance):—

Mr. James Campbell 905

Amendment proposed to the Bill—

"In page 3 to leave out Clause 5."—(*Mr. James Campbell.*)

Question proposed, "That the words 'where the landlord' stand part of the Bill."

Mr. Bryce 913
Mr. Gwynn (Galway) 916
Sir E. Carson 918
Mr. Rees (Montgomery Boroughs) 921
Mr. Charles Craig 922
Mr. Dolan (Leitrim, N.) 924
Mr. Cherry 925
Mr. J. F. Mason 928
Colonel Kenyon-Slaney 928
Mr. A. J. Balfour 930

Question put.

The House divided :—Ayes, 308 ; Noes, 74. (Division List No. 431.)

Amendments proposed to the Bill—

"In page 4, line 26, after the word 'contract,' to insert the words 'other than a contract either to make or not to make an improvement.'" —(*Mr. Cherry.*)

"In page 3, line 26, to leave out the words 'by a tenant.'"—(*Mr. Cherry.*)

"In page 4, line 27, to leave out the word 'he' and insert the words 'a tenant.'"—(*Mr. Cherry.*)

"In page 4, line 30, after the word 'shall,' to insert the words having regard to all the circumstances of the case.'"—(*Mr. Clancy.*)

Amendments agreed to.

Amendment proposed to the Bill—

"In page 5, line 11, to leave out sub-section (3), and insert the words, 'an Appeal shall lie to the Court of Appeal from the county court under this Act. Such appeal shall be brought within the time, in the manner, and in accordance with the conditions prescribed by Rules of the Supreme Court. Save as aforesaid every decision of the county court under this Act shall be final.'"—(*Mr. Clancy.*)

Amendment agreed to.

Sub-sections (3) and (4) omitted.

Amendments proposed to the Bill—

"In page 5, line 22, to leave out the word 'and.'"

"In page 5, line 22, after the word 'twenty-three,' to insert the words 'twenty-six and twenty-seven.'"

"In page 5, line 26, at the end, to insert the words 'and the duty imposed upon the Court by the said section twenty-seven shall, on the application of a limited owner, be performed as well where compensation is awarded by the Court as where the amount of compensation is agreed upon.'"—(*Mr. Cherry.*)

"In page 5 line 18, after the word 'shops' to insert the words 'clubs for social or athletic purposes.'"—(*Mr. Glendinning.*)

"In page 6, line 2, to leave out the words 'lease or life lease or.'" —(*Mr. Clancy.*)

"In page 6 line 2, after the second 'or,' to insert the word 'other.'" —(*Mr. Clancy.*)

Amendments agreed to.

Amendment proposed to the Bill—

> "In page 6, line 3, after the word 'tenancy' to insert the words 'for a year or for any longer period.'"—(*Mr. Cherry.*)

Amendment agreed to.

Amendments proposed to the Bill—

> "In page 6, line 5, to leave out from the word 'law' to end of sub-section."
>
> "In page 6, line 16, at the end, to add 'the expression 'predecessor in title' shall have the same meaning as in the Landlord and Tenant (Ireland) Act, 1870, as amended by section seven of the Land Law (Ireland) Act, 1881.'"—(*Mr. Clancy.*)
>
> "In page 4, lines 23 and 24, to leave out the words 'passing thereof,' and insert 'first day of January nineteen hundred and seven.'"—(*Mr. Cherry.*)

Amendments agreed to.

Bill to be read the third time to-morrow.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at twenty minutes before Twelve o'clock.

HOUSE OF LORDS: THURSDAY, 22ND NOVEMBER, 1906.

PRIVATE BILL BUSINESS.

Blairgowrie, Rattray, and District Gas and Water Order Confirmation Bill.—To be printed. (No. 215.) 941

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.—Petitions against; of inhabitants of parishes of Llanbedrgoch and Pentraeth. Read, and ordered to lie on the Table 941

RETURNS, REPORTS, ETC.

COLONIES ANNUAL.—No. 510. St. Vincent (Report for 1905–1906) 941

IRISH LAND COMMISSION (PROCEEDINGS).—Return for the month of October, 1906. Presented (by Command) and ordered to lie on the Table 941

POLLING DISTRICTS (COUNTY OF DURHAM).—Order made by the council of the county of Durham altering certain polling districts in the Chester-le-Street Parliamentary Division. Laid before the House (pursuant to Act), and ordered to lie on the Table 941

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Education (England and Wales) Bill.—House again in Committee (according to order).

[The Earl of ONSLOW in the chair.]

Debate resumed on Motion, proposed by Earl Cawdor, to leave out Clause 26:—

The Marquess of Lansdowne 941
The Lord President of the Council (*The Earl of Crewe*) 945
Viscount St. Aldwyn 951
The Lord Bishop of Hereford 954

On Question, "That Clause 26 stand part of the Bill," their Lordships divided:—Contents, 44; Not-contents, 109.

Clauses 27, 28, and 29 agreed to.

The Marquess of Salisbury 957

Amendment moved—

"To insert the following new clause, 'Section 16 of the Education Act, 1902, shall apply to any failure of a local education authority to fulfil any of their duties under this Act.'"—(*The Marquess of Salisbury.*)

The Earl of Crewe 958

On Question, Amendment agreed to.

Lord Stanley of Alderley 959

Amendment moved—

"To insert the following new clause: 'It shall be lawful for any ratepayer in the district of a local education authority, at all reasonable times without payment, to inspect and takes copies of, or extracts from, all books and documents relating to education belonging to or under the control of the local authority. Any person who hinders a ratepayer from so inspecting or taking copies of, or extracts from, any book or document, or demands a fee for allowing him to do so, shall be liable, on summary conviction, to a penalty not exceeding five pounds for each offence, provided that the local authority may refuse to disclose any particular document if they can satisfy a court of summary jurisdiction that there are special grounds for refusing the demand as being under the circumstances unreasonable.'"—(*Lord Stanley of Alderley.*)

The Earl of Crewe 959
Lord Stanley of Alderley 960

On Question, Amendment negatived.

Remaining clause agreed to.

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On Schedule :—

The Chairman of Committee (*The Earl of Onslow*) 961
The Earl of Crewe 961

On Question, Schedule agreed to.

Standing Committee negatived. The report of Amendments to be received on Thursday next, and Bill to be printed as amended. (No. 214.)

House adjourned during pleasure.

House resumed by the Lord Fitzmaurice.

Merchant Shipping Acts Amendment (No. 2) Bill.—Brought from the Commons ; read 1^a ; to be printed ; and to be read 2^a on Tuesday next : The Lord Granard [*E. Granard*]). (No. 216.) 962

House adjourned at Seven o'clock to Monday next, a quarter past Four o'clock.

HOUSE OF COMMONS : THURSDAY, 22ND NOVEMBER, 1906.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Great Northern Railway (Ireland) Bill [LORDS].—Read a third time, and passed, with Amendments. 962

Edinburgh Corporation (Superannuation) Order Confirmation Bill.—Considered ; to be read the third time To-morrow 962

PETITIONS.

PARLIAMENTARY FRANCHISE.—Petitions for extension to women ; from New Barnet, and Torpoint ; to lie upon the Table 962

VACCINATION ACTS (COMPULSORY CLAUSES).—Petition from Bristol, for repeal ; to lie upon the Table 962

RETURNS, REPORTS, ETC.

IRISH LAND COMMISSION (PROCEEDINGS).—Copy presented, of Return of Proceedings during the month of October, 1906 [by Command] ; to lie upon the Table 962

POLLING DISTRICTS (COUNTY OF DURHAM).—Copy presented, of Order made by the County Council of Durham altering certain polling districts in the Chester-le-Street Parliamentary Division [by Act] ; to lie upon the Table .. 962

COLONIAL REPORTS (ANNUAL).—Copy presented, of Colonial Report No. 510 (St. Vincent, Report for 1905–6) [by Command] ; to lie upon the Table .. 963

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INCLOSURES (COUNTY OF GLOUCESTER).—Return presented, relative thereto [ordered 19th June; *Mr. Essex*]; to lie upon the Table 963

INCLOSURES (COUNTY OF CUMBERLAND).—Return presented, relative thereto [ordered 26th June; *Mr. Fullerton*]; to lie upon the Table 963

INCLOSURES (COUNTY OF NORFOLK).—Return presented, relative thereto [ordered 29th June; *Mr. Winfrey*]; to lie upon the Table 963

INCLOSURES (COUNTY OF SUFFOLK).—Return presented, relative thereto [ordered 11th July; *Mr. George Hardy*]; to lie upon the Table 963

INCLOSURES (COUNTY OF SURREY).—Return presented, relative thereto [ordered 13th July; *Mr. Marnham*]; to lie upon the Table 963

INCLOSURES (COUNTY OF KENT).—Return presented, relative thereto [ordered 1st August; *Mr. Rowlands*]; to lie upon the Table 963

MUNICIPAL EMPLOYEES.—Return ordered, "showing the number of persons in the employ of the London County Council and the council of each metropolitan borough and of each county borough in England and Wales at any time during the week ended Saturday the 3rd day of November, 1906, distinguishing the number employed on the clerical staff."—(*Mr. Claude Hay*) 963

PERTH PRISON.—Return ordered, "showing (1) number of prisoners transferred from Barlinnie Prison to Perth Prison during the past three years; (2) length of original sentence on each of the above prisoners; (3) length of sentence still to run at the date of transfer."—(*Mr. Mitchell-Thompson*) 963

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

MACHINERY OF BATTLESHIPS—GOVERNMENT AND PRIVATE CONTRACTORS.—Question, Mr. Bellairs (Lynn Regis); Answer, Mr. Edmund Robertson .. 964

SERVICE GRATUITIES—CASE OF MR. PITT, LATE OF ROYAL WILLIAM VICTUALLING YARD, DEVONPORT.—Question, Sir John Benn (Devonport); Answer, Mr. Edmund Robertson 964

COMPENSATION FOR LOSS OF HEARING TO LIEUTENANT F. COPLESTONE.—Question, Mr. Mond (Chester); Answer, Mr. Edmund Robertson 965

ADVERTISING VACANT POSTMANSHIP, ETC.—Question, Mr. Morton (Sutherland); Answer, Mr. Sydney Buxton 966

TELEGRAPH LEARNERS AT CARLISLE.—Question, Mr. Chance (Carlisle); Answer, Mr. Sydney Buxton 966

TELEGRAPH DELAYS AT BRISTOL.—Question, Mr. W. J. Wilson (Lancashire, Westhoughton); Answer, Mr. Sydney Buxton 967

OVERTIME AND PRESSURE OF WORK IN THE POST OFFICE TELEGRAPH DEPARTMENT.—Question, Mr. W. T. Wilson; Answer, Mr. Sydney Buxton 967

MANAGEMENT OF CROWN LANDS.—Question, Mr. Rogers (Wiltshire); Answer, Mr. McKenna 968

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WOMEN'S ENFRANCHISEMENT—ARREST OF MISS MILNE.—Question, Mr. Clynes (Manchester, N.E.); Answer, Mr. Gladstone 969

MOTOR OMNIBUSES—DANGER TO TRAVELLING PUBLIC.—Question, Mr. T. Davies (Fulham); Answer, Mr. Gladstone 969

EDUCATION AID GRANTS.—Question, Mr. Brace (Glamorganshire, S.); Answer, Mr. Birrell 970

REFUSAL OF APPLICATION OF PUPIL TEACHERS TO ENTER CHELTENHAM TRAINING COLLEGE.—Question, Mr. O'Grady (Leeds, E.); Answer, Mr. Birrell .. 970

PROTEST AGAINST PROPOSED PARTITION OF KHANDESH, BOMBAY PRESIDENCY.—Question, Dr. Rutherford (Middlesex, Brentford); Answer, Mr. Morley .. 971

POLICE AND STUDENTS AT MYNESNSINGH.—Question, Dr. Rutherford; Answer, Mr. Morley 971

IRISH LAND TENANTS.—Question, Mr. Thomas O'Donnell (Kerry, W.); Answer, Mr. Bryce 972

THE CASE OF T. R. O'SULLIVAN.—Question, Mr. Flynn (Cork, N.); Answer, Mr. Bryce 972

PURCHASE OF THE CLONFIN ESTATE, NORTH LONGFORD.—Question, Mr. J. P. Farrell (Longford, N.); Answer, Mr. Bryce 973

REFUSAL OF GUN LICENSE.—Question, Mr. J. P. Farrell; Answer, Mr. Bryce .. 973

PURCHASE OF THE CROFTEN ESTATE, NORTH LONGFORD.—Question, Mr. J. P. Farrell; Answer, Mr. Bryce 974

APPLICATIONS OF EVICTED TENANTS FOR REINSTATEMENT IN COUNTY LONGFORD.—Question, Mr. J. P. Farrell; Answer, Mr. Bryce 975

ENGLISH EDUCATION GRANTS—EQUIVALENT GRANT TO IRELAND.—Question, Mr. Flynn; Answer, Mr. Bryce 975

REFUSAL TO ADMIT TO LICENSED PREMISES.—Question, Mr. Glendinning (Antrim, N.); Answer, Mr. Bryce 976

PURCHASE OF UNTENANTED LAND ON THE MCFARLANE ESTATE, COUNTY TYRONE.—Question, Mr. Murnaghan (Tyrone, Mid); Answer, Mr. Bryce .. 976

DR. KENNY'S GALWAY ESTATE.—Question, Mr. John Roche (Galway, E.); Answer, Mr. Bryce 978

GUN LICENSES FOR IRISH FARMERS.—Question, Mr. John Roche; Answer, Mr. Bryce 978

HOUSING OF IRISH FARM LABOURERS.—Question, Mr. P. A. McHugh (Sligo, N.); Answer, Mr. Bryce 978

MRS. LEWIS, BAHNGAR ESTATE.—Question, Mr. Duffy (Glaway, S.); Answer, Mr. Bryce 979

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DE FREYNE ESTATE.—Question, Mr. Duffy; Answer, Mr. Bryce 979

ROYAL PATRIOTIC FUND.—Question, Mr. Byles (Salford, N.); Answer, Mr. McKenna 980

NAVAL MANŒUVRES REPORT.—Question, Sir Howard Vincent (Sheffield, Central); Answer, Mr. Edmund Robertson 980

CHATHAM DOCKYARD.—Question, Mr. E. H. Lamb (Rochester); Answer, Mr. Edmund Robertson 980

NORTH GLAMORGAN OFFICIAL RECEIVER.—Question, Mr. Keir Hardie (Merthyr Tydvil); Answer, Mr. Kearley 981

GOVERNMENT STATIONERY CONTRACTS IN IRELAND.—Question, Mr. Sloan (Belfast, S.); Answer, Mr. McKenna 981

TECHNICAL AGRICULTURAL EDUCATION.—Question, Mr. Atherley-Jones (Durham, N.W.); Answer, Sir Edward Strachey 982

WEST RIDING APPEAL.—Question, Mr. Talbot (Oxford University); Answer, Sir John Walton 982

CARRICKMACROSS POSTAL ARRANGEMENTS.—Question, Mr. McKean (Monaghan, S.); Answer, Mr. Sydney Buxton 983

NEW ZEALAND RATING SYSTEM.—Question, Sir Albert Spicer (Hackney, Central); Answer, Mr. John Burns 983

BOMBAY POLICE PAY.—Question, Mr. Ridsdale (Brighton); Answer, Mr. Morley 983

INDIAN RUPEE COINAGE.—Question, Sir Edward Sassoon (Hythe); Answer, Mr. Morley 984

PHŒNIX PARK PLAYING GROUNDS.—Question, Mr. Field (Dublin, St. Patrick); Answer, Mr. McKenna 985

ROYAL IRISH CONSTABULARY FUNDS.—Question, Mr. Cogan (Wicklow, E.); Answer, Mr. Bryce 986

ROYAL IRISH CONSTABULARY—DISTRIBUTION OF THE FORCE.—Question, Mr. McKillop (Armagh, S.); Answer, Mr. Bryce 987

BELLMULLET PETTY SESSIONS' CLERKS.—Question, Mr. Conor O'Kelly (Mayo, N.); Answer, Mr. Bryce 987

ROMAN CATHOLIC SCHOOLS IN IRELAND.—Question, Mr. Sloan; Answer, Mr. Bryce 988

LABOURERS' COTTAGES AT MOIRA.—Question, Mr. Sloan; Answer, Mr. Bryce .. 988

SMITH ESTATE, EASTEHALL.—Question, Mr. McKean; Answer, Mr. Bryce .. 989

ARMY QUARTER-MASTERS.—Question, Sir Carne Rasch (Essex, Chelmsford); Answer, Mr. Haldane 990

DOCKYARD ACCOMMODATION ABROAD.—Question, Mr. Bellairs; Answer, Mr. Edmund Robertson 990

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QUESTIONS IN THE HOUSE.

H.M.S. MONTAGU.—Question, Mr. Fell (Great Yarmouth) Mr. J. Ward (Stoke-on-Trent), Mr. Jenkins (Chatham); Answer, The Secretary to the Admiralty (Mr. Edmund Robertson, Dundee) 990

FOREIGN NAVIES. — Question, Mr. Mitchell-Thomson (Lanarkshire, N.W.); Answer, Mr. Edmund Robertson 991

THE CHANNEL FLEET.—Question, Mr. Dobson (Plymouth); Answer, Mr. Edmund Robertson 992

THE PORTSMOUTH DISTURBANCES.—Question, Mr. Macpherson (Preston); Answer, Mr. Edmund Robertson 992

SERVING AFLOAT.—Question, Mr. F. E. Smith (Liverpool, Walton); Answer, Mr. Edmund Robertson 993

BRITISH SETTLERS IN SOUTH AFRICA.—Question, Mr. Lonsdale (Armagh, Mid); Answer, The Under-Secretary of State for the Colonies (Mr. Churchill, Manchester) 993

COTTON CULTIVATION IN AUSTRALIA.—Question, Mr. William Redmond (Clare, E.); Answer, Mr. Churchill 993

BRITISH INDIANS AT VERDERDORP.—Question, Sir H. Cotton (Nottingham, E.); Answer, Mr. Churchill 994

CHINESE IN BRITISH COLUMBIA.—Question, Mr. Boulton (Huntingdonshire), Ramsey ; Answer, Mr. Churchill 995

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REPATRIATION OF CHINESE COOLIES.—Question, Mr. Fullerton (Cumberland, Egremont); Answer, Mr. Churchill 996

LORD SELBORNE.—Question, Mr. Fullerton; Answer, Mr. Churchill 996

THE FEREIRA RAID.—Question, Mr. Swift MacNeill (Donegal, S.) Answer, Mr. Churchill 997

BRITISH INDIAN AT VOLKSRUST.—Question, Mr. Rees (Montgomery Boroughs); Answer, Mr. Churchill 998

TILONKO'S APPEAL.—Question, Mr. Swift Macneill; Answer, Mr. Churchill .. 998

EXPLOSIVES IN THE SUEZ CANAL.—Question, Dr. Rutherford (Middlesex; Answer, The Secretary of State for Foreign Affairs (Sir Edward Grey, Northumberland, Berwick) 1000

THE UNITED STATES AND THE CONGO.—Question, Sir Charles Dilke (Gloucestershire, Forest of Dean); Answer, Sir Edward Grey 1000

URUGUAYAN FISHERIES.—Question, Mr. Mitchell-Thomson; Answer, Sir Edward Grey 1001

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MINISTRY OF EDUCATION IN EGYPT.—Question, Mr. T. M. Robertson (Northumberland, Tyneside); Answer, Sir Edward Grey 1002

THE DENSHAWI TRIALS.—Question, Mr. Dillon (Mayo, E.); Answer, Sir Edward Grey 1002

MACEDONIA.—Questions, Mr. Dillon, Mr. Wedgwood (Newcastle-under Lyme), and Mr. Lynch (Yorkshire, W.R., Ripon); Answers, Sir Edward Grey .. 1003

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BRITISH SHIPPING CLAIMS AGAINST RUSSIA.—Questions, Mr. Claude Hay (Shoreditch, Hoxton); and Mr. Clement Edwards (Denbigh District); Answers, Sir Edward Grey 1005

BRITISH SUBJECTS IN TANGIER.—Question, Mr. Ashley (Lancashire, Blackpool); Answer, Sir Edward Grey 1006

HAYTI.—Question, Mr. Glendinning (Antrim, N.); Answer, Sir Edward Grey 1007

SOMALILAND.—Question, Mr. Lonsdale; Answer, Sir Edward Grey 1007

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ROBINSON MINES—RECRUITING KAFFIRS.—Question, Mr. Mackarness (Berkshire, Newbury); Answer, Sir Edward Grey 1008

EGYPTIAN REFORMS.—Questions, Mr. Alden (Middlesex, Tottenham), and Sir Gilbert Parker (Gravesend); Answers, Sir Edward Grey 1009

CONCESSIONS IN THE CONGO FREE STATE.—Question, Mr. Alden; Answer, Sir Edward Grey 1009

CASE OF FREDERICK RUSHTON.—Question, Mr. J. Ward; Answer, The Secretary of State for the Home Department (Mr. Gladstone, Leeds) 1009

CASE OF WILLIAM MAUGHAN.—Question, Mr. J. Ward, Mr. Bowles (Lambeth, Norwood), and Lord Robert Cecil (Marylebone, E.); Answer, Mr. Gladstone 1010

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COLLAPSE OF HOUSES AT MARYLEBONE.—Question, Mr. Straus (Tower Hamlets, Mile End); Answer, Mr Gladstone 1013

BURIAL BOARDS.—Questions, Mr. Rowlands (Kent, Darftord), Mr. Markham (Surrey, Chertsey) and Viscount Turnour (Sussex, Horsham); Answers, The President of the Local Government Board (Mr. John Burns, Battersea) 1013

KIRKBY STEPHEN MEDICAL OFFICER.—Question, Mr. Wardle (Stockport); Answer, Mr. John Burns 1014

DEATHS FROM CANCER.—Question, Mt. Straus; Answer, Mr. John Burns .. 1015

VACCINATION.—Question, Mr. Lupton (Lincolnshire, Sleaford); Answer, Mr. John Burns 1015

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The Poplar Inquiry.—Question, Viscount Castlereagh (Maidstone); Answer, Mr. John Burns 1016

Meat Inspection in London.—Question, Mr. Alden; Answer, Mr. John Burns 1017

Telegraph Messengers and Evening Schools.—Question, Mr. Wardle; Answer, The Postmaster-General (Mr. Sydney Buxton, Tower Hamlets, Poplar) 1017

South Wexford Postal Arrangements.—Question, Mr. Ffrench (Wexford), S. Answer, Mr. Sydney Buxton 1018

Coats' Cotton.—Question, Mr. Chiozza Money (Paddington, N.); Answer, The Parliamentary Secretary to the Board of Trade (Mr. Kearley, Devonport) 1018

Wall Paper Combine.—Question, Mr. Chiozza Money; Answer, Mr. Kearley .. 1019

Hours of Railway Servants.—Question, Mr. Wardle; Answer, Mr. Kearley .. 1020

North Glamorgan Official Receiver.—Questions, Mr. D. A. Thomas (Merthyr Tydvil) and Mr. Keir Hardie (Merthyr Tydvil); Answers, Mr. Kearley .. 1020

Hull Crossing Signalmen.—Question, Mr. Hudson (Newcastle-on-Tyne); Answer, Mr. Kearley 1021

Surveyors of Taxes.—Question, Mr. Myer (Lambeth, N.); Answer, The Financial Secretary to the Treasury (Mr. M'Kenna, Monmouthshire, N.) .. 1021

Barton Farm, Isle of Wight.—Question, Mr. Rogers (Wiltshire, Devizes); Answer, Mr. M'Kenna 1023

Burwell Crown Farm.—Question, Mr. Rogers; Answer, Mr. M'Kenna .. 1024

Crown Agents' Fees.—Question, Mr. Rogers; Answer, Mr. M'Kenna 1024

Unlet Crown Farms.—Question, Mr. Roger; Answer, Mr. M'Kenna 1025

State Banking Company of Liverpool.—Question, Mr. Wardle; Answer, The Attorney-General (Sir John Walton, Leeds, S.) 1026

The Bucknill Report.—Questions, Mr. Rawlinson (Cambridge University), Lord R. Cecil (Marylebone, E.) and Viscount Turnour; Answers, Sir John Walton 1026

Barlinnie Gaol.—Question, Mr. Mitchell-Thomson; Answer, The Secretary for Scotland (Mr. Sinclair, Forfarshire) 1027

Stationery Contracts in Ireland.—Question, Mr. Sloan (Belfast, S.); Answer, Mr. Mr. M'Kenna 1027

Ireland and the Unemployed Grant.—Question, Mr. Lonsdale; Answer, Mr. John Burns 1028

Armagh Election.—Question, Mr. Glendinning, Mr. Charles Craig (Antrim, S.), Mr. Flavin (Kerry, N.); Answer, Mr. Sydney Buxton 1029

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RUIN OF LANDOWNERS.—Question, Mr. Chiozza Money, Lord Balcarres (Lancashire, Chorley); Answer, The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman) 1029

RATES ON UNIMPROVED LAND VALUES.—Question, Mr. Snowden (Blackburn); 1030 Answer, Sir H. Campbell-Bannerman .. ..

INTERNATIONAL EXHIBITION.—Question, Mr. Fell; Answer, Sir H. Campbell-Bannerman 1030

SHROPSHIRE MAGISTRACY.—Question, Mr. Henry (Shropshire, Wellington); Answer, Sir H. Campebll-Bannerman 1031

SIR HENRY MACCALLUM.—Question, Mr. Swift MacNeill; Answer, Sir H. Campbell-Bannerman 1032

THE INCOME TAX COMMITTEE.—Question, Mr. Victor Cavendish (Derybshire, W.) Answer, Sir H. Campbell-Bannerman 1033

BUSINESS OF THE HOUSE.—Question, Sir Edward Sassoon (Hythe), Mr. Akers Douglas (Kent, St. Augustine), Mr. Keir Hardie; Answer, Sir H. Campbell-Bannerman 1033

NEW MEMBER SWORN.—William Moore, esquire, K.C., for the County of Armagh (North Armagh Division) 1034

Merchant Shipping Bill.—Order for Third Reading read.

Motion made and Question proposed, "That this Bill be now read the third time."—(*Mr. Lloyd-George.*)

Mr. David MacIver (Liverpool, Kirkdale) 1034
Sir Robert Ropner (Stockton) 1042
Mr. Maclean (Bath) 1044
Mr. Havelock Wilson (Middlesbrough) 1045
Mr. Austin Taylor (Liverpool, East Toxteth) 1051
Mr. Bonar Law (Camberwell, Dulwich) 1054
The President of the Board of Trade (Mr. Lloyd-George, Carnarvon Boroughs) 1057
Mr. Evelyn Cecil (Aston Manor) 1064
Mr. Jenkins (Chatham) 1067
Mr. Stuart (Sunderland) 1068
Mr. Barrie (Londonderry, N.) 1070
Mr. Morton (Sunderland) 1070

Question put, and agreed to.

Bill read the third time, and passed.

Census of Production Bill.—Order for consideration, as amended (by the Standing Committee), read.

Mr. W. Pearce (Tower Hamlets, Limehouse) 1071

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Motion made, and Question proposed, "That the Bill be recommitted to a Committee of the Whole House."—(*Mr. Wm. Pearce.*)

The President of the Board of Trade (*Mr. Lloyd-George, Carnarvon Boroughs*) 1072
Sir Frederick Banbury (*City of London*) 1073
Lord R. Cecil (*Marylebone, E.*) 1075
Sir George Doughty (*Great Grimsby*) 1075
Mr. Courthope (*Sussex, Rye*) 1076
Sir Albert Spicer (*Hackney, Central*) 1077
Mr. Stuart (*Sunderland*) 1077
Mr. H. H. Marks (*Kent, Thanet*) 1078
Captain Craig (*Down, E.*) 1078

Question put, and negatived.

Sir George Doughty 1079
Sir Frederick Cawley (*Lancashire, Prestwich*) 1079

Amendment proposed—

"In page 1, line 6, to leave out the words 'subsequently at such intervals,' and to insert the words 'and each year following.'"—(*Sir George Doughty.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. Ashley (*Lancashire, Blackpool*) 1080
Mr. Cory (*Cornwall, St. Ives*) 1081
Mr. Lloyd-George 1081
Lord Balcarres (*Lancashire, Chorley*) 1082
Mr. Brigg (*Yorkshire, W.R., Keighley*) 1083
Mr. Victor Cavendish (*Derbyshire, W.*) 1083
Mr. Lloyd-George 1084
Mr. Chiozza Money (*Paddington*), *N.* 1084

Motion made, and Question, "That the debate be now adjourned,"—(*Mr. Lloyd-George*), put, and agreed to.

Debate to be resumed to-morrow.

ACCOMMODATION FOR STRANGERS.

The First Commissioner of Works (*Mr. Harcourt, Lancashire, Rossendale*) 1085

Motion made, and Question proposed, "That this House approves of the arrangements made for the accommodation of strangers under the Reporters' Gallery."—(*Mr. Harcourt.*)

Mr. William Rutherford (*Liverpool, West Derby*) 1087
Mr. Dalziel (*Kirkcaldy Burghs*) 1091
Mr. John Redmond (*Waterford*) 1093
Sir A. Acland Hood (*Somersetshire, Wellington*) 1095
Mr. Harcourt 1096

Viscount Turnour (Sussex, Horsham) 1097

Sir Brampton Gurdon (Norfolk, N.) 1097

Mr. Stuart Wortley (Sheffield, Hallam) 1098

The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 1099

Mr. A. J. Balfour (City of London) 1101

Mr. Atherley Jones (Durham, N.W.) 1105

Mr. Byles (Salford, N.) 1107

Question put.

The House divided :—Ayes, 275 ; Noes, 63. (Division List No. 432.)

Resolved, "That this House approves of the arrangements made for the accommodation of strangers under the Reporters' Gallery."

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at six minutes after Eleven o'clock.

HOUSE OF COMMONS: FRIDAY, 23RD NOVEMBER, 1906.

The House met at Twelve of the Clock.

PRIVATE BILL BUSINESS.

Edinburgh Corporation (Superannuation) Order Confirmation Bill.—Read the third time, and passed 1114

PETITIONS.

EDUCATION (PROVISION OF MEALS) BILL.—Petition from Edinburgh, against extension to Scotland ; to lie upon the Table 1114

PARLIAMENTARY FRANCHISE.—Petition from Sevenoaks, for extension to women ; to lie upon the Table 1114

RETURNS, REPORTS, ETC.

INCLOSURES (COUNTY OF GLOUCESTER).—Return [presented 22nd November] to be printed. [No. 359.] 1114

INCLOSURES (COUNTY OF CUMBERLAND).—Return [presented 22nd November] to be printed. [No. 360.] 1114

INCLOSURES (COUNTY OF NORFOLK).—Return [presented 22nd November] to be printed. [No. 361.] 1114

INCLOSURES (COUNTY OF SUFFOLK).—Return [presented 22nd November] to be printed. [No. 362.] 1114

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INCLOSURES (COUNTY OF KENT).—Return [presented 22nd November] to be printed. [No. 363.] 1114

INCLOSURES (COUNTY OF SURREY).—Return [presented 22nd November] to be printed]. [No. 364.] 1114

POLICE (ENGLAND AND WALES).—Copy presented, of Return relative to the Appointment of Matrons at Police Stations and Police Courts [by Command]; to lie upon the Table 1114

ARMY.—Copy presented, of Report of the War Office Committee on Promotion to Colonel and General [by Command]; to lie upon the Table 1115

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

WOOD IMPORTS INTO IRELAND—REAFFORESTATION SCHEME.—Question, Mr. Ffrench (Wexford, S.); Answer, Mr. Bryce 1115

THE FIFE ROYAL GARRISON ARTILLERY MILITIA.—Question, Major Anstruther-Gray (St. Andrews Burghs); Answer, Mr. Haldane 1115

NEW CAVALRY SWORD.—Question, Major Anstruther-Gray; Answer, Mr. Haldane 1115

CAVALRY REGIMENT AT PIERSHILL BARRACKS, EDINBURGH.—Question, Mr. Gibbs (Bristol, W.); Answer, Mr. Haldane 1115

STATE OF RECRUITING.—Question, Mr. F. E. Smith (Liverpool, Walton); Answer, Mr. Haldane 1115

GEOGRAPHY AND DIPLOMATIC AND FOREIGN OFFICE ENTRANCE EXAMINATION.—Question, Sir C. Hill (Shrewsbury); Answer, Sir Edward Grey 1116

ILLEGAL TRAWLING IN THE MORAY FIRTH.—Question, Sir Arthur Bignold—(Wick Burghs); Answer, Mr. Sinclair 1116

ROYAL IRISH CONSTABULARY FORCE FUND.—Question, Mr. J. P. Nannetti (Dublin, College Green); Answer, Mr. Bryce 1116

COMMISSIONERS OF CHARITABLE DONATIONS AND BEQUESTS IN IRELAND.—Question, Mr. Glendinning (Antrim, N.); Answer, Mr. Bryce 1117

GERMAN GOVERNMENT ORDNANCE FACTORIES.—Question, Mr. Bellairs (Lynn Regis); Answer, Mr. Haldane 1118

CASE OF JOHN GILLAN, LATE 1ST BATTALION ROYAL IRISH REGIMENT.—Question, Mr. J. P. Farrell (Longford, N.); Answer, Mr. Haldane. 1118

CASE OF JOSEPH RHATIGAN, LATE ROYAL ENGINEERS.—Question, Mr. J. P. Farrell; Answer, Mr. Haldane 1119

QUESTIONS IN THE HOUSE.

TENANTS OF HORTLANDSON, COUNTY KILDARE.—Question, Mr. John O'Connor (Kildare, N.); Answer, The Attorney-General for Ireland (Mr. Cherry, Liverpool, Exchange) 1119

ADJOURNMENT.

Resolved, That this House, at its rising this day, do adjourn till Monday next.—(*Mr. Whiteley.*)

Land Tenure Bill.—Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Sir Henry Kimber (*Wandsworth*) 1120
Mr. Carlile (*Hertfordshire, St. Albans*) 1126

Amendment proposed—

> "To leave out from the word 'That,' to the end of the Question, and to add the words 'This House declines to pass a Bill which destroys freedom of contract between grown persons in dealing with their own affairs and alters contracts freely made, at the instance of one party only and against the other.'"—(*Sir Henry Kimber.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. Soares (*Devonshire, Barnstaple*) 1128
Colonel Lockwood (*Essex, Epping*) 1133
The Solicitor-General for Scotland (*Mr. Ure, Linlithgow*) 1135
Mr. Lambton (*Durham, S.E.*) 1139
Mr. Brace (*Glamorganshire, S.*) 1142
Mr. Gardner (*Berkshire, Wokingham*) 1145
Mr. Everett (*Suffolk, Woodbridge*) 1147
Mr. Abel Smith (*Hertfordshire, Hertford*) 1149
The Civil Lord of the Admiralty (*Mr. Lambert, Devonshire, South Molton*) 1154
Mr. Walter Long (*Dublin County, S.*) 1159
The Prime Minister and First Lord of the Treasury (*Sir H. Campbell-Bannerman, Stirling Burghs*) 1165
Lord R. Cecil (*Marylebone, E.*) 1170

Question put.

The House divided:—Ayes, 260; Noes, 27. (Division List No. 433.)

Main Question put, and agreed to.

Bill read the third time, and passed.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of 4th August last.

Adjourned at two minutes after Five o'clock till Monday next.

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HOUSE OF LORDS: MONDAY, 26TH NOVEMBER, 1906.

REPRESENTATIVE PEER FOR SCOTLAND.—The LORD CHANCELLOR acquainted the House that the Clerk of the Parliaments had received (by post) from the Lord Clerk Register of Scotland minutes of the election of the Earl of Rothes as one of the sixteen Peers of Scotland, 8th November last, in room of Ronald Ruthven, Earl of Leven and Melville, deceased; and separate return by the Lord Clerk Register of certain titles of Peerage called at the said election, in right of which respectively no vote had been received and counted at any election for fifty years then last past (pursuant to Act 14 & 15 Vict. chap. 87). Ordered, that the said minutes of election, etc., be printed. (No. 217) 1177

PRIVATE BILL BUSINESS.

Edinburgh Corporation (Superannuation) Order Confirmation Bill.—Brought from the Commons and read 1ª; to be printed; and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899), deemed to have been read 2ª (The Lord Hamilton of Dalzell), and reported from the Committee .. 1177

PETITION.

EDUCATION (ENGLAND AND WALES) BILL.—Petition against; of inhabitants of Hatherop. Read, and ordered to lie on the Table 1177

RETURNS, REPORTS, ETC.

ARMY.—Report of the War Office Committee on promotion to Colonel and General 1177

POLICE (ENGLAND AND WALES).—Return relative to the appointment of Matrons at Police Stations and Police Courts.

Presented (by Command), and ordered to lie on the Table 1177

WEIGHTS AND MEASURES ACT, 1878.—Order in Council dated 16th November 1906, approving certain new denominations of standard measures of length 1178

GREENWICH HOSPITAL ACT 1865.—Order in Council dated 16th November, 1906, sanctioning the payment of Greenwich Hospital special pensions to persons residing in his Majesty's Dominions abroad, in the same way as if they resided in the United Kingdom.

Laid before the House (pursuant to Act), and ordered to lie on the Table .. 1178

OFFICIAL SECRETS ACT.

Lord Ellenborough 1178
The First Lord of the Admiralty (Lord Tweedmouth) 1178

LABOUR RECRUITING

Lord Harris 1179

Moved, "That an humble Address be presented to His Majesty for Papers relating to the issue of licences to recruit in Portuguese East Africa for the mines in the Transvaal."—(*Lord Harris.*)

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The Secretary of State for the Colonies (*The Earl of Elgin*) 1184
Lord Harris 1188

Motion, by leave, withdrawn.

Land Tenure Bill.—Brought from the Commons, read 1ª, and to be printed (No. 218) 1188

House adjourned at ten minutes past Five o'clock, till To-morrow, Two o'clock.

HOUSE OF COMMONS: MONDAY, 26TH NOVEMBER, 1906.

The House met at a quarter before Three of the Clock.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL (RELIGIOUS TEACHING).—Petition from Durham, against alteration of Law; to lie upon the Table 1189

RETURNS, REPORTS, ETC.

GREENWICH HOSPITAL ACT.—Copy presented, of Order in Council of 16th November, 1906, sanctioning the payment of Greenwich Hospital Special Pensions to persons residing in His Majesty's Dominions abroad in the same way as if they resided in the United Kingdom [by Act]; to lie upon the Table 1189

WEIGHTS AND MEASURES ACT, 1878.—Copy presented, of Order in Council of 16th November, 1906, approving certain new denominations of Standard Measures of Length [by Act]; to lie upon the Table.. 1189

EAST INDIA (BRITISH TROOPS).—Return presented, relative thereto [Address 24th July; *Mr. Henry J. Wilson*]; to lie upon the Table 1189

POSTAL AGREEMENT (SERVIA).—Copy presented, of Postal Agreement for an exchange of Money Orders between the Port Office of Great Britain and Ireland and the Post Office of Servia, dated the 3rd April, 20th October, 1906 1189

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

RE-CONVERSION OF H.M.S. "RENOWN."—Question, Mr. Nield (Middlesex, Ealing); Answer, Mr. Edmund Robertson 1190

EXPENDITURE ON REPAIRS OF BATTLESHIPS.—Question, Mr. Nield; Answer, Mr. Edmund Robertson 1190

CIVIL SERVANTS—ILL-HEALTH AND RESIGNATION.—Question, Mr. Sloan (Belfast S.); Answer, Mr. Bryce 1191

UGANDA RAILWAY ACCOUNTS.—Question, Sir C. Hill (Shrewsbury); Answer, Mr. Churchill 1193

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CLERKS IN IRISH GOVERNMENT OFFICES —DEDUCTIONS FROM SALARIES.—Question, Mr. O'Malley, (Galway, Connemara); Answer, Mr. M'Kenna .. 1193

WAGES OF DOCKYARD WORKMEN.—Question, Mr. E. H. Lamb (Rochester); Answer, Mr. Edmund Robertson 1194

RAILWAY FACILITIES AT HASTINGS.—Question, Mr. Du Cros (Hastings); Answer, Mr. Lloyd-George 1194

SUB-POST OFFICES HOURS OF CLOSING.—Question, Mr. Samuel Roberts (Sheffield, Ecclesall); Answer, Mr. Sydney Buxton 1195

VOLUNTEER ARTILLERY—CONVERSION OF FIELD GUNS.—Question, Viscount Castlereagh (Maidstone); Answer, Mr. Haldane 1196

REPATRIATION OF CHINESE COOLIES.—Question, Mr. Mond (Chester); Answer, Mr. Runciman 1196

THE PRESS AND MR. BUCKNILL'S REPORT.—Question, Mr. Rawlinson (Cambridge University); Answer, Sir H. Campbell-Bannerman 1196

EDUCATION ENGLAND AND WALES BILL—EQUIVALENT GRANT TO SCOTLAND. —Question, Sir Henry Craik (Glasgow and Aberdeen Universities); Answer, Mr. Sinclair 1196

THE CROWN AND PAGE ESTATES.—Question, Mr. J. Ward (Stoke-on-Trent); Answer, Mr. John Walton 1197

DELAY IN DELIVERY OF LETTERS ADDRESSED IN IRISH.—Question, Mr. Cogan (Wicklow, E.); Answer, Mr. Sydney Buxton 1197

POSTAL RATES TO CANADA OF BRITISH PERIODICALS AND NEWSPAPERS.—Question, Mr. Evelyn Cecil (Aston Manor); Answer, Mr. Sydney Buxton 1198

COST OF REPATRIATION OF CHINESE COOLIES.—Question, Major Seely (Liverpool); Answer, Mr. Runciman (Abercromby) 1199

RETIRING ALLOWANCE TO MR. E. MACGONAGALL, MANAGING CLERK, ROORKIE WORKSHOPS.—Question, Mr. Meehan (Queen's County, Leix); Answer, Mr. Morley 1199

INDIAN MAGISTRATES AND POLITICAL DEMONSTRATIONS.—Question, Sir H. Cotton (Nottingham, E.); Answer, Mr. Morley 1200

IRISH LAND PURCHASE—REDEMPTION OF EXISTING ANNUITIES.—Question, Mr. Power (Waterford, E.); Answer, Mr. Bryce 1200

IRISH EDUCATIONAL DEVELOPMENT GRANT.—Question, Mr. Alden (Middlesex, Tottenham); Answer, Mr. Bryce 1120

POLICE AND PUBLIC AT DRUMKEERIN, COUNTY LEITRIM.—Question, Mr. Dolan (Leitrim, W.); Answer, Mr. Bryce 1202

DEMANDS FOR PAYMENT OF RENT FROM TENANTS ON THE DE FREYNE ESTATE. —Question, Mr. James O'Kelly (Roscommon); Answer, Mr. Bryce 1202

IRISH ARCHITECTS AND IRISH LABOURERS' COTTAGES.—Question, Mr. Dolan; Answer, Mr. Bryce 1203

REFUSAL OF GUN LICENCE TO MR. THOMAS KEIGHREY OF LOUGHREA.—Question, Mr. Duffy (Galway, S.); Answer, Mr. Bryce 1204

PURCHASE OF MR. CHURCHER'S ESTATE, COUNTY GALWAY.—Question, Mr. John Roche (Galway, E.); Answer, Mr. Bryce 1204

HOLDING OF MR. JAMES BRODERICK OF LOUGHREA.—Question, Mr. Duffy; Answer, Mr. Bryce 1205

TEACHING OF IRISH IN NATIONAL SCHOOLS.—Question, Mr. J. P. Nannetti (Dublin, College Green); Answer, Mr. Bryce 1205

POPULATION OF IRELAND.—Question, Mr. Fell (Great Yarmouth); Answer, Mr. Bryce 1206

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SALE OF THE HORT ESTATE, KILCOCH, COUNTY KILDARE.—Question, Mr. John O'Connor (Kildare, N.); Answer, Mr. Bryce 1207

SALE OF THE MARQUESS OF ELY'S ESTATE, COUNTY FERMANAGH.—Question, Mr. Fetherstonhaugh (Fermanagh, N.); Answer, Mr. Bryce 1208

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OFFICERS' PAYMENT FOR UPKEEP OF FURNITURE AT WELLINGTON AND CHELSEA BARRACKS.—Question, Mr. Guy Waring (Winchester); Answer, Mr. Haldane 1209

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THE COLONIES AND THE MERCHANT SHIPPING BILL.—Question, Mr. Harmood Banner (Liverpool, Everton); Answer, Mr. Churchill 1211

IMPORTS OF BRITISH CIGARETTES INTO MANCHURIA.—Question, Mr. T. L. Corbett (Down, N.); Answer, Sir Edward Grey 1212

REBUILDING OF WESTMINSTER COUNTY COURT.—Question, Mr. W. F. D. Smith (Strand, Westminster); Answer, Mr. McKenna 1212

CLEANING OF RAG FLOCK FOR BEDDING.—Question, Mr. A. L. Stanley (Cheshire, Eddisbury); Answer, Mr. John Burns 1213

BRENTFORD DISTRICT COUNCIL HOSPITAL.—Question, Dr. Rutherford; Answer, Mr. John Burns 1213

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Sittings of the Railway and Canal Commission.—Question, Mr. D. A. Thomas (Merthyr Tydvil) ; Answer, Mr. Asquith 1215

Promotion on the Unemployed Supernumary List of the Indian Army.—Question, Sir W. J. Collins (St. Pancras, W.) ; Answer, Mr. Morley 1215

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Purchase of Colonel Malone's Barons Town Estate.—Question, Mr. Ginnell, (Westmeath, N.) ; Answer, Mr. Bryce 1218

Ireland and the Licensing Question.—Question, Mr. Fetherstonhaugh ; Answer, Mr. Bryce 1219

Grant to Tenants on Congested Estate at Callambhille.—Question, Mr. J. P. Farrell (Longford, N.) ; Answer, Mr. Bryce 1220

Sittings of the Irish Congested District Commission.—Question, Mr. J. P. Farrell ; Answer, Mr. Bryce 1220

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Irish Railways and the Irish Commission.—Question, Mr. Delany (Queen's County, Ossory) ; Answer, Mr. Bryce 1222

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REPATRIATION OF CHINESE COOLIES.—Question, Captain Craig (Down, E.), Sir H. Cotton; Answer, The Secretary to the Local Government Board (Mr. Runciman, Dewsbury) 1232

CRIME BY CHINESE COOLIES.—Question, Mr. Mackarness (Berkshire, Newbury); Answer, Mr. Runciman 1233

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LAND SETTLEMENT IN SOUTH AFRICA.—Question, Sir Gilbert Parker, Mr. Lyttelton (St. George's, Hanover Square), Mr. Ashley; Answer, Sir H. Campbell-Bannerman) 1251

CHINESE IN THE TRANSVAAL.—Question, Mr. Mackarness; Answer, Sir H. Campbell-Bannerman 1253

CHINESE LABOUR CONTRACTS.—Question, Mr. Burt (Morpeth); Answer, Sir H. Campbell-Bannerman 1253

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QUESTION OF PRIVILEGE—*The Times* AND MR. H. H. MARKS.

Mr. Ridsdale (Brighton) 1254
Mr. Speaker 1257
Mr. H. H. Marks (Kent, Thanet) 1258

Plural Voting Bill.—PROCEDURE.

The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 1258

Motion made, and Question proposed, "That two allotted days be given to the Report stage of the Plural Voting Bill, and that the proceedings on new clauses, if not previously brought to a conclusion, be brought to a conclusion on the first allotted day, and that the remaining proceedings on the Bill and the Schedule and any other matter necessary to bring the Report stage to a conclusion, if not previously brought to a conclusion, be brought to a conclusion on the second allotted day. Any day after this Order comes into operation on which the Plural Voting Bill is put down as the first Order of the Day, shall be considered as an allotted day for the purposes of this Order. At 10.30 p.m. on an allotted day, the Speaker shall, if the proceedings which are to be brought to a conclusion on that day have not already been brought to a conclusion, put forthwith the Question or Questions on any new Clause, Amendment, or Motion already proposed from the Chair, and shall next, so far as is necessary to dispose of the business to be concluded on that day, proceed successively to put forthwith the Question on any new clauses or Amendments moved by the Government of which notice has been given (but no other clauses or Amendments), and on any other question necessary to dispose of the business to be concluded, and in the case of Government Amendments or of Government new clauses, he shall put only

the Question that the Amendment be made or that the clause be added to the Bill, as the case may be. At 11 p.m. on the day on which the Third Reading of the Bill is put down as the first Order of the Day, or if that day is a Friday, at 5 p.m., the Speaker shall put forthwith any Question necessary to conclude the proceedings on that stage of the Bill. Proceedings to which this Order relates shall not, on an allotted day, be interrupted under the provisions of any Standing Order relating to the Sittings of the House. On an allotted day and on the day on which the Third Reading of the Bill is put down as the first Order of the Day, no dilatory Motion on the Bill, nor Motion for re-commitment of the Bill, nor Motion for adjournment under Standing Order No. 10 shall be received unless moved by a Minister of the Crown, and the Question on any such Motion shall be put forthwith without debate."—(*Sir H. Campbell-Bannerman.*)

Mr. A. J. Balfour 1262
The Chancellor of the Exchequer (Mr. Asquith, Fifeshire, E.) 1267
Mr. Laurence Hardy (Kent, Ashford) 1270
Sir Frederick Banbury (City of London) 1271
Mr. T. L. Corbett (Down, N.) 1274
Sir Francis Lowe (Birmingham, Edgbaston) 1274
Mr. Wyndham (Dover) 1275
Mr. Stanley Wilson (Yorkshire, E.R., Holderness) 1279
Mr. Leif Jones (Westmoreland, Appleby) 1280
Sir E. Carson (Dublin University) 1281
Mr. Dalziel (Kirkcaldy Burghs) 1284
Mr. Samuel Roberts (Sheffield, Ecclesall) 1285
Mr. Fell (Great Yarmouth) 1286
Mr. Laurence Hardy 1286

Amendment proposed—

"In line 1, to leave out the word 'two' and insert the word 'four.'"—(*Mr. Laurence Hardy.*)

Question proposed, "That the word 'two' stand part of the Question."

Mr. Asquith 1287
Mr. Austen Chamberlain (Worcestershire, E.) 1287
Sir Charles Dilke (Gloucestershire, Forest of Dean) 1288

Question put.

The House divided :—Ayes, 316 ; Noes, 88. (Division List No. 434.)

Sir Frederick Banbury 1293

Amendment proposed—

"In line 24, to leave out the words 'or if that day is a Friday, at 5 p.m.'"—(*Sir Frederick Banbury.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. Asquith 1294

Question, put and negatived.

Words omitted.

Main Question put.

The House divided :—Ayes, 320 ; Noes, 87. (Division List No. 135.)

Resolved :—" That two allotted days be given to the Report stage of the Plural Voting Bill, and that the proceedings on new clauses, if not previously brought to a conclusion, be brought to a conclusion on the first allotted day, and that the remaining proceedings on the Bill and the Schedule and any other matter necessary to bring the Report stage to a conclusion, if not previously brought to a conclusion, be brought to a conclusion on the second allotted day. Any day after this Order comes into operation on which the Plural Voting Bill is put down as the first Order of the Day, shall be considered as an allotted day for the purposes of this Order. At 10.30 p.m. on an allotted day the Speaker shall, if the proceedings which are to be brought to a conclusion on that day have not already been brought to a conclusion, put forthwith the Question or Questions on any new clause, Amendment, or Motion already proposed from the Chair, and shall next, so far as is necessary to dispose of the business to be concluded on that day, proceed successively to put forthwith the Question on any new clauses or Amendments moved by the Government of which notice has been given (but no other clauses or Amendments), and on any other question necessary to dispose of the business to be concluded, and in the case of Government Amendments or of Government new clauses, he shall put only the Question that the Amendment be made or that the clause be added to the Bill, as the case may be. At 11 p.m. on the day on which the Third Reading of the Bill is put down as the first Order of the Day, the Speaker shall put forthwith any Question necessary to conclude the proceedings on that stage of the Bill. Proceedings to which this Order relates shall not, on an allotted day, be interrupted under the provisions of any Standing Order relating to the sittings of the House. On an allotted day and on the day on which the Third Reading of the Bill is put down as the first Order of the day, no dilatory Motion on the Bill, nor Motion for recommitment of the Bill, nor Motion for Adjournment under Standing Order No. 10 shall be received unless moved by a Minister of the Crown, and the Question on any such Motion shall be put forthwith without debate."

Plural Voting Bill.—As amended, considered.

The First Commissioner of Works (*Mr. Harcourt, Lancashire, Rossendale*) 1299

New clause—

" (1) Where a court, within the meaning of this section, is satisfied on the application of any person made in accordance with rules of Court—(a) that he has been prevented by illness or absence beyond the seas from giving a notice of selection on or before the day required by this Act ; or (b) that, since the day on or before which a notice of selection is required to be given under this Act, he has become aware that he is registered in more than one constituency ; or (c) that he has

given a notice of selection in a constituency in which his name is not upon the lists of voters, or in which his name has been struck off the lists of voters on revision or on appeal; or (d) that he has given a notice of selection in manner required by this Act, and that his name has not been marked on the register in accordance with that selection; or (e) that he has given a notice of selection, but that through inadvertence or ignorance he has given the notice in respect of the wrong constituency or to the wrong clerk; or (f) that having been registered in one constituency only at the commencement of the calendar year, he is about to be registered or has become registered before the end of the calendar year in more than one constituency owing to the inclusion of his name in a Scottish Parliamentary register which comes into force on the first of November in that year; or (g) that having selected a constituency in Scotland he has ceased or will cease before the end of the calendar year to be on the register of the selected constituency; and that there has been no unreasonable delay in making the application, the court may by order allow the applicant to select for the purpose of this Act the constituency specified in the order. (2) The clerk of the county council or town clerk responsible for printing the Parliamentary register of the selected constituency shall act in accordance with any such order of the court as if the order were a notice of selection given within the time required by this Act, and if the register has come into force shall transmit a copy of the order to the sheriff or returning officer having the custody of the register, and the sheriff or returning officer shall make the necessary mark on the register. (3) For the purpose of this section 'court' means the High Court or a court of summary jurisdiction or county court having jurisdiction in the constituency which the applicant under this section desires to select."—(*Mr. Harcourt.*)

Brought up, and read the first time.

Motion made and Question proposed, "That the clause be read a second time." 1301

Sir Frederick Banbury 1301

Question put, and agreed to.

Clause read the second time.

Mr. Luke White (*Yorks, E.R., Buckrose*) 1301

Amendment proposed to the clause—

"To leave out lines 1 and 2, and insert the words 'Whenever an elector shall have made and transmitted to the clerk of the county council or town clerk responsible for printing the Parliamentary register of the selected constituency a statutory declaration made by him, stating'"—*Mr. Luke White.*)

Question proposed, "That the words 'where a court' stand part of the clause."

Mr. Harcourt 1302
Mr. Walter Long 1302
Mr. Wallace (*Perth*) 1303

Sir E. Carson (Dublin University) .. 1303
Mr. Harcourt .. 1305
Mr. Courthope (Sussex, Rye) .. 1305
Mr. Rufus Isaacs (Reading) .. 1306
Mr. Wyndham (Dover) .. 1307
Mr. Clavell Salter (Hants, Basingstoke) .. 1307
Mr. Nield (Middlesex, Ealing) .. 1308
Mr. Bowles (Lambeth, Norwood) .. 1308

Question put.

The House divided:—Ayes, 295; Noes, 60. (Division List No. 436.)

Mr. Nield .. 1313

Amendment proposed to the clause—

"In line 2, after the word 'Court,' to insert the words 'to be hereafter made in accordance with the existing practice and in the same manner as the rules and orders at present in force in such court and regulating the procedure thereof, and duly confirmed and allowed as provided by the statutes relating thereto.'"(—*Mr. Nield.*)

Question proposed, "That those words be there inserted in the clause."

Mr. Harcourt .. 1314

Amendment, by leave, withdrawn.

Mr. Cave (Surrey, Kingston) .. 1314
Sir Frederick Banbury .. 1315

Amendment proposed to the clause—

"In line 3, to leave out from the word 'that' to the end of line 5, and insert the words 'his omission to give a notice of selection within the time required by this Act is due to inadvertence, illness, or absence beyond the seas, or to some other reasonable cause of a like nature; or.'"—(*Mr. Cave.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Mr. Harcourt .. 1317
Mr. Bonar Law (Camberwell, Dulwich) .. 1318
Mr. R. Pearce (Staffordshire, Leek) .. 1319
Mr. Clavell Salter .. 1320
Mr. Courthope .. 1321
The Attorney-General (Sir John Walton, Leeds, S.) .. 1322
Mr. Austen Chamberlain .. 1324
Mr. William Rutherford (Liverpool, West Derby) .. 1325
Mr. Rawlinson (Cambridge University) .. 1325
Mr. T. L. Corbett (Down, N.) .. 1326
Sir Henry Craik (Glasgow and Aberdeen Universities) .. 1326
Captain Craig (Down, E.) .. 1327
Mr. Stanley Wilson (Yorkshire, E. R., Holderness) .. 1329
Mr. Walter Long .. 1330

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Question put.

The House divided :—Ayes, 299 ; Noes, 79. (Division List No. 437.)

Mr. Harmood Banner (*Liverpool, Everton*) 1333

Captain Craig 1335

Amendment proposed to the clause—

> " In line 10, to leave out the words from the word ' voters ' to the end of line 11."—(*Mr. Harmood-Banner.*)

Question proposed, " That the words proposed to be left out stand part of the clause."

Mr. Harcourt 1336
Sir E. Carson 1336
Mr. Asquith 1337

Question put.

The House divided :—Ayes, 315 ; Noes, 69. (Division List No. 438.)

Mr. Mitchell-Thomson (*Lanarkshire, N.W.*) 1341

Amendment proposed to the clause—

> " In line 26, after the word ' constituency, to insert the words ' (*h*) that having selected for the currency of the last Parliamentary register a constituency in Scotland, he has ceased, or will cease before the first day of November, to be marked on the register of that constituency ; (*i*) that having selected for the currency of the ensuing Parliamentary register a constituency in Scotland, he will cease, before or at the end of the calendar year, to be marked on the register of his present voting constituency."—(*Mr. Mitchell-Thomson.*)

Question proposed, "That those words be there inserted in the clause."

The Lord Advocate (*Mr. Thomas Shaw, Hawick Burghs*) 1342
Mr. Cochrane (*Ayrshire, N.*) 1343

Question put.

The House divided :—Ayes, 75 ; Noes, 313. (Division List No. 439.)

And, it being after Eleven of the clock, further consideration of the Bill, as amended, stood adjourned.

Bill, as amended, to be further considered To-morrow.

Naval Prize Bill [Lords].—Order for Committee read and discharged.

Bill withdrawn 1347

Bond Investment Companies Bill.—Order for Second Reading read, and discharged.
Bill withdrawn 1348

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at five minutes after Eleven o'clock.

HOUSE OF LORDS: TUESDAY, 27TH NOVEMBER, 1906.

EARLDOM OF NORFOLK.—Committee for Privileges met: Petition of Charles Botolph Joseph, Lord Mowbray, Lord Segrave and Baron and Lord Stourton, for the determination of the abeyance of the dignity of Earl of Norfolk in his favour, and for a summons to Parliament as Earl of Norfolk considered. Then it was resolved that the Petitioner hath not made out his claim to the said dignity. Report thereof to be made to the House 134

PETITIONS.

TRADE DISPUTES BILL.—Petition for Amendment of; of Aberdeen Chamber of Commerce; read, and ordered to lie on the Table 1349

RETURNS, REPORTS, ETC.

CONGESTION IN IRELAND.—Report of the Royal Commission appointed to inquire into and report upon the operation of the Acts dealing with congestion in Ireland; report, minutes of evidence, and appendices 1349

POST OFFICE.—Agreement between the Post Office of the United Kingdom of Great Britain and Ireland and the Post Office of Servia for the exchange of money orders. 1349

TREATY SERIES.

No. 16. (1906)—Convention between the United Kingdom and Hayti respecting nationality; signed at Port-au-Prince, 6th April, 1906. (Ratifications exchanged at Port-au-Prince, 16th October, 1906.)

No. 17. (1906)—Agreement between the United Kingdom and Germany respecting the boundary between British and German Territories from Yola to Lake Chad; signed at London, 19th March, 1906.

Presented (by Command), and ordered to lie on the Table 1349

Merchant Shipping Acts Amendment (No. 2) Bill.

Order of the day for the Second Reading read.

The Earl of Granard 1350

Moved, "That the Bill be now read 2ª."—(*The Earl of Granard.*)

Lord Muskerry 1357
Lord Ellenborough 1362
Lord Brassey 1376
The Lord Bishop of Bangor 1378
The Marquess of Salisbury 1380
Lord Lyveden 1384
The Under Secretary of State for Foreign Affairs (Lord Fitzmaurice) .. 1385
Lord Nunburnholme 1387
The First Lord of the Admiralty (Lord Tweedmouth) 1389
Lord Glantawe 1390

On Question, agreed to.

Bill read 2ª accordingly, and committed to a Committee of the Whole House on Tuesday, the 11th of December next.

House adjourned at twenty minutes before Seven o'clock till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS: TUESDAY, 27TH NOVEMBER, 1906.

The House met at a quarter before Three of the Clock.

PETITIONS.

BETTING AND GAMBLING.—Petition from Lambeth for legislation; to lie upon the Table 1390

DIN, NIZAM.—Petition of Nizam Din, for redress of grievances; to lie upon the Table 1391

EDUCATION (PROVISION OF MEALS) BILL.—Petition from Strood, against; to lie upon the Table 1391

LAND VALUES, TAXATION, &c. (SCOTLAND) BILL.—Petition from Glasgow, against; to lie upon the Table 1391

PARLIAMENTARY FRANCHISE.—Petition from Hornsey, for extension to women; to lie upon the Table 1391

RETURNS, REPORTS, ETC.

CONGESTION IN IRELAND (ROYAL COMMISSION).—Copy presented, of Report of the Royal Commission appointed to inquire into and report upon the operation of the Acts dealing with Congestion in Ireland (Report, Minutes of Evidence, and Appendices) [by Command]; to lie upon the Table 1391

TREATY SERIES (No. 16, 1906).—Copy presented, of Convention between the United Kingdom and Hayti respecting Nationality. Signed at Port-au-Prince, 6th April, 1906. Ratifications exchanged at Port-au-Prince, 16th October, 1906 [by Command]; to lie upon the Table 1391

Treaty Series (No. 17, 1906).—Copy presented, of Agreement between the United Kingdom and Germany respecting the Boundary between British and German Territories from Yola to Lake Chad. Signed at London, 19th March, 1906 [by Command]; to lie upon the Table 1391

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Increased Wages in Dockyards.—Question, Mr. E. H. Lamb (Rochester), and Sir John Benn (Devonport); Answer, Mr. Edmund Robertson .. 1391

French and German Naval Shipbuilding Programmes.—Question, Mr. Mitchell-Thomson (Lanarkshire); Answer, Mr. Edmund Robertson .. 1392

Failure of Longford Potato Crop.—Question, Mr. J. P. Farrell (Longford, N.); Answer, Mr. Bryce 1392

Treatment of Female Salvationists at Widnes.—Question, Mr. Seddon (Lancashire, Newton); Answer, Mr. Gladstone 1393

The British Exhibits at the Milan Exhibition.—Question, Mr. Halpin (Clare, W.); Answer, Mr. McKenna 1393

Suggested Naval Station at Hobart, Tasmania.—Question, Lord R. Cecil (Marylebone, E.); Answer, Mr. Edmund Robertson 1397

The Colonies and the Merchant Shipping Bill.—Question, Mr. Harmood-Banner (Liverpool, Everton); Answer, Mr. Churchill 1397

American Cotton Trust.—Question, Mr. Field (Dublin, St. Patrick); Answer, Mr. Kearley 1397

Wages of Irish Customs Outpost Watchers.—Question, Mr. Field; Answer, Mr. McKenna 1398

Reformatory and Industrial Schools—Recommendations of Departmental Committee.—Question, Mr. Harmood-Banner; Answer, Mr. Gladstone 1399

Child Insurance and Child Mortality.—Question, Sir Walter Foster (Derbyshire, Ilkeston); Answer, Mr. Gladstone 1399

Arming of Battleships.—Question, Mr. Nield (Middlesex, Ealing); Answer, Mr. Edmund Robertson 1399

Religious Tests for Teachers—Name of Training College.—Question, Mr. Wardle (Stockport); Answer, Mr. Birrell 1400

Contracted-Out Schools—Compensation to Teachers for Decrease of Salary.—Question, Mr. Wardle; Answer, Mr. Birrell 1400

Milk Warranty.—Question, Mr. Gibbs (Bristol, W.); Answer, Sir Edward Strachey 1401

Expenses of Dublin Metropolitan Police.—Question, Mr. Field; Answer, Mr. Bryce 1401

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REVISION OF VOTERS' LISTS AT BRAY AND RATHMINES.—Question, Mr. Field; Answer, Mr. Bryce 1402

IRISH LAND PURCHASE APPLICATIONS.—Question, Mr. Field; Answer, Mr. Bryce 1404

TURBARY RIGHTS ON THE KING-HARMAN ESTATE AT LINEAR.—Question, Mr. J. P. Farrell; Answer, Mr. Bryce 1404

SALE OF MACAULY ESTATE NORTH LONGFORD.—Question, Mr. J. P. Farrell; Answer, Mr. Bryce 1405

IRISH POOR LAW COMMISSION—GOVERNMENT ACTION.—Question, Mr. J. P. Farrell; Answer, Mr. Bryce 1405

PURCHASE OF THE DOPPING (DERRY CASSAY) ESTATE, NORTH LONGFORD.—Question, Mr. J. P. Farrell; Answer, Mr. Bryce 1406

SALE OF COLONEL DIGBY'S ESTATE AT BALLINACUNA COUNTY WESTMEATH.—Question, Mr. Sullivan; Answer, Mr. Bryce 1406

PRESERVATION OF LOUGH ERNE FISHERIES.—Question, Mr. Fetherstonhaugh (Fermanagh); Answer, Mr. Bryce 1407

SALE OF CROSBIE ESTATE, BALLYHEIGAL.—Question, Mr. Flavin (Kerry, N.): Answer, Mr. Bryce 1407

UNTENANTED LAND ON THE ESTATE OF LINDSAY TALBOT CROSBIE AND ARDFERT.—Question, Mr. Flavin; Answer, Mr. Bryce 1407

SALE OF THE ESTATE OF R. E. LONGFIELD AT FORT MIDDLE, COUNTY LIMERICK.—Question, Mr. O'Shaughnessy (Limerick, W.); Answer, Mr. Bryce 1408

EXCESS STAFF OF THE VETERINARY DEPARTMENT OF THE IRISH BOARD OF AGRICULTURE.—Question, Mr. Delany (Queen's County, Ossory); Answer, Mr. Bryce 1408

PAY OF COLOUR-SERGEANT IN MILITIA AND LINE BATTALIONS.—Question, Mr. Fetherstonhaugh; Answer, Mr. Haldane 1409

QUESTIONS IN THE HOUSE.

EMPLOYMENT OF RETIRED LIEUTENANTS, ETC., FROM THE RANKS.—Question, Mr. Bramsdon (Portsmouth); Answer, The Secretary to the Admiralty (Mr. Edmund Roberston, Dundee) 1410

GREENWICH AGE PENSIONS.—Question, Mr. Bramsdon; Answer, Mr. Edmund Robertson 1410

H.M.S. DREADNOUGHT.—Questions, Mr. Bellairs (Lynn Regis), Captain Harvey (Bury St. Edmunds); Lord Balcarres (Lancashire, Chorley); Answer, Mr. Edmund Robertson 1411

PORTSMOUTH REPAIRING HARBOUR.—Questions, Mr. Bellairs, Mr. Arthur Lee (Hampshire, Fareham), Mr. Keir Hardie (Merthyr Tydvil), Mr. Bramsdon; Answer, Mr. Edmund Robertson 1412

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COALING STATIONS—HOBART.—Question, Lord R. Cecil (Marylebone, E.); Answer, Mr. Edmund Robertson 1413

DISTRIBUTION OF THE FLEET.—Questions, Major Anstruther-Gray (St. Andrew's Burghs), Mr. Arthur Lee, Sir Gilbert Parker (Gravesend); Answer, Mr. Edmund Robertson 1413

THE DISTURBANCES AT PORTSMOUTH NAVAL BARRACKS.—Questions, Mr. Dalziel (Kirkcaldy Burghs), Mr. Lea (St. Pancras, E.), Mr. J. Ward (Stoke-on-Trent), Mr. Swift MacNeill (Donegal, S.); Answer, Mr. Edmund Robertson 1414

SUB-TARGET APPARATUS.—Question, Mr. Godfrey Baring (Isle of Wight); Answer, The Financial Secretary to the War Office (Mr. Buchanan, Perthshire, E.) 1416

ARMY CATTLE SLAUGHTERING IN EGYPT.—Questions, Viscount Castlereagh (Maidstone), Mr. Arthur Lee, Sir Howard Vincent (Sheffield, Central); Answer, Mr. Buchanan 1417

MILITIA GARRISON ARTILLERY.—Question, Mr. Cochrane (Ayrshire, N.); Answer, Mr. Buchanan 1417

SPITHEAD FORTS.—Question, Sir Frederick Banbury (City of London); Answer, Mr. Buchanan 1418

COMMAND PAY.—Question, Mr. Smeaton (Stirlingshire); Answer, Mr. Buchanan 1418

RECRUITMENT OF LABOUR FOR THE TRANSVAAL MINES.—Questions, Mr. Mackarness (Berkshire, Newbury), Mr. Lyttleton (St. George's Hanover Square); Answer, The Under-Secretary of State for the Colonies (Mr. Churchill, Manchester, N.W.) 1418

MR. BUCKNILL'S REPORT.—Questions, Sir. W. Evans Gordon (Tower Hamlets, Stepney), Mr. T. L. Corbett (Down, N.); Mr. Swift MacNeill (Donegal, S.); Answer, Mr. Churchill 1420

OPIUM IN THE TRANSVAAL.—Question, Dr. Rutherford (Middlesex, Brentford), Mr. Mackarness; Answer, Mr. Churchill 1421

NATIVE RACES AND THE ALCOHOLIC EVIL.—Questions, Mr. Gulland (Dumfries Burghs), Mr. Sloan (Belfast, S.); Answer, The Secretary of State for Foreign Affairs (Sir Edward Grey, Northumberland, Berwick) 1421

IMMIGRATION OF ALIENS.—Questions, Sir W. Evans Gordon, Sir Howard Vincent, Sir Gilbert Parker; Answer, The Secretary of State for the Home Department (Mr. Gladstone, Leeds, W.) 1422

MOTOR BUS LICENCES IN LONDON.—Question, Mr. Evelyn Cecil (Aston Manor); Answer, Mr. Gladstone 1423

GUTTER ADVERTISING.—Questions, Mr. Chiozza Money (Paddington, N.), Sir Howard Vincent; Answer, Mr. Gladstone 1424

CONVENTUAL INSTITUTIONS.—Questions, Mr. T. L. Corbett, Mr. Meehan (Queen's County, Leix), Mr. Sloan; Answer, Mr. Gladstone, Mr. Swift MacNeill .. 1425

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MEDICAL RELIEF IN WHITECHAPEL.—Question, Mr. Alden (Middlesex, Tottenham); Answer, The President of the Local Government Board (Mr. John Burns, Battersea) 1426

UTLEY POST OFFICE.—Questions, Mr. Brigg (Yorkshire, W.R., Keighley), Mr. Leif Jones (Westmoreland, Appleby); Answer, The Postmaster-General (Mr. Sydney Buxton, Tower Hamlets, Poplar) 1427

TELEPHONE BILL.—Question, Mr. George Roberts (Norwich); Answer, Mr. Sydney Buxton.. 1427

MANCHESTER POST OFFICE STAFF REVISION.—Question, Sir C. E. Schwann (Manchester, N.); Answer, Mr. Sydney Buxton 1427

LYNTHAM SCHOOLS AND SAINTS' DAY.—Questions, Mr. Higham (Yorkshire, W.R., Sowerby), Mr. Evelyn Cecil; Answer, The Secretary to the Board of Education (Mr. Lough, Islington) 1428

SWANSEA EDUCATION DISPUTE.—Question, Lord Balcarres; Answer, Mr. Lough 1429

EDUCATIONAL ENDOWMENTS.—Question, Mr. Seddon (Lancashire, Newton); Answer, Mr. Lough 1429

DISCLOSURE OF GOVERNMENT SECRETS.—Questions, Sir W. Evans Gordon, Sir Howard Vincent; Answer, The Attorney-General (Sir John Walton, Leeds, S.) 1430

BRECON OFFICAL RECEIVER.—Question, Mr. Keir Hardie; Answer, The Secretary to the Board of Trade (Mr. Kearley, Devonport) 1431

PARLIAMENTARY CLERKS AND THE MEMBERS' DINING ROOM.—Questions, Mr. Snowden (Blackburn), Mr. Lea, Mr. John Redmond (Waterford); Answer, Sir Alfred Jacoby (Derbyshire, Mid) 1431

THE LYNTHAM CHARITIES.—Question, Mr. Higham; Answer, Mr. Trevelyan (Yorkshire, W R., Elland) 1432

LAND AGENTS TO THE CHURCH ESTATES COMMISSIONERS.—Question, Mr. Wedgwood (Newcastle-under-Lyme); Answer, Mr. Charles Hobhouse (Bristol, E.) 1433

CHURCH ESTATES COMMISSIONERS.—Question, Mr. Wedgwood; Answer, Mr. Charles Hobhouse 1433

THE MILAN EXHIBITION.—Question, Mr. Halpin (Clare, W.); Answer, The Financial Secretary to the Treasury (Mr. McKenna, Monmouthshire, N.) .. 1434

THE NATIONAL GALLERY.—Questions, Mr. Chiozza Money, Mr. Leif Jones; Answer, Mr. McKenna 1435

TRADING COMPANIES.—Question, Mr. Rendall (Gloucestershire, Thornbury); Answer, Mr. McKenna 1436

KING'S PARK, STIRLING.—Question, Mr. Morton (Sutherland); Answer, Mr McKenna 1437

PARLIAMENTARY DEBATES CONTRACT.—Question, Mr. Straus (Tower Hamlets, Mile End); Answer, Mr McKenna 1437

CIVIL SERVICE WRITERS.—Question, Mr. Chiozza Money, Sir G. Kekewich (Exeter); Answer, Mr. McKenna 1438

CONTROLLER OF BANKS CLERKSHIP.—Question, Mr. Claude Hay (Shoreditch, Hoxton); Answer, Mr. McKenna 1439

TRAWLING IN THE MORAY FIRTH.—Question, Mr. A. Williamson (Elgin and Nairn); Answer, The Secretary for Scotland (Mr. Sinclair, Forfarshire) .. 1440

ILLEGAL TRAWLING ON THE FIFE COAST.—Question, Major Anstruther-Gray; Answer, Mr. Sinclair 1440

DELVIN UNTENANTED LANDS.—Question, Mr. Ginnell (Westmeath. N.); Answer, The Chief Secretary for Ireland (Mr. Bryce, Aberdeen) 1441

THE ROYAL CANAL.—Question, Mr Ginnell; Answer, Mr. Bryce 1441

KILGARVAN EVICTED TENANT.—Question, Mr Boland (Kerry, S.); Answer, Mr. Bryce 1441

STUBBER ESTATE, QUEEN'S COUNTY.—Question, Mr. Delany (Queen's County, Ossory); Answer, Mr. Bryce 1442

DROMAHAIR RIOTS.—Question, Mr. Dolan (Leitrim, N.); Answer, Mr. Bryce 1442

SHIMNA RIVER FISHING RIGHTS.—Question, Mr. MacVeagh (Down, S.); Answer, Mr. Bryce 1443

ELEMENTARY SCHOOLS IN IRELAND.—Question, Mr. Brigg; Answer, Mr. Bryce 1444

FISHERY INQUIRY.—Question, Mr. Boland; Answer, Mr. Bryce 1444

THE TOLLEMACHE ESTATE.—Question, Mr. Hogan (Tipperary, N.); Answer, Mr. Bryce 1444

INCREASED PRICE OF IRISH LAND.—Question, Mr. Ginnell; Answer, Mr. Bryce 1445

LABOURERS' COTTAGE SCHEMES.—Question, Mr. Ginnell; Answer, Mr. Bryce 1445

CLONLARA UNTENANTED LANDS.—Question, Mr. William Redmond (Clare, E.); Answer, Mr. Bryce 1446

DROMOD SCHOOLS.—Question, Mr. Boland; Answer, Mr. Bryce 1446

BATHURST ESTATE, CAPPAMORE.—Question, Mr. Lundon (Limerick, E.); Answer, Mr. Bryce 1447

LLOYD ESTATE, ARVA.—Question, Mr. Vincent Kennedy (Cavan, W.); Answer, Mr. Bryce 1447

IRISH SECURITIES.—Question, Mr. Mooney (Newry); Answer, Mr. Bryce .. 1448

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Irish Board of Works Surveyors.—Question, Mr. Vincent Kennedy; Answer, Mr. McKenna 1448

Sir Henry MacCallum.—Question, Mr. Swift MacNeill; Answer, The Prime Minister and First Lord of the Treasury (Sir H. Campbell-Bannerman, Stirling Burghs) 1448

Small Landholders (Scotland) Bill.—Question, Mr. Morton; Answer, Sir H. Campbell-Bannerman 1449

Occasional Licensing.—Question, Mr. T. F. Richards (Wolverhampton, W.); Answer, Mr. Asquith 1450

Workmen's Compensation Bill.—Question, Mr. Keir Hardie; Answer, Sir H. Campbell-Bannerman 1450

The Admission of Strangers.—Question, Mr. Claude Hay; Answer, Mr. Speaker 1450

NEW BILLS.

Burials Bill.—"To amend the Law with respect to the consents required for the use of ground for burials and the construction of cemeteries," presented by Mr. John Burns; supported by Mr. Runciman; to be read a second time upon Thursday, and to be printed. [Bill 356] 1451

Plural Voting Bill.—As amended, further considered.

Proceedings resumed upon the clause (Cases in which electors may apply to a court for leave to select a constituency), read a second time upon the 26th November :—

"(1) Where a Court, within the meaning of this section, is satisfied on the application of any person made in accordance with rules of Court—

"(*a*) that he has been prevented by illness or absence beyond the seas from giving a notice of selection on or before the day required by this Act; or

"(*b*) that, since the day on or before which a notice of selection is required to be given under this Act, he has become aware that he is registered in more than one constituency; or

"(*c*) that he has given a notice of selection in a constituency in which his name is not upon the lists of voters, or in which his name has been struck off the lists of voters on revision or on appeal; or

"(*d*) that he has given a notice of selection in manner required by this Act, and that his name has not been marked on the register in accordance with that selection; or

"(*e*) that he has given a notice of selection, but that through inadvertence or ignorance he has given the notice in respect of the wrong constituency or to the wrong clerk; or

"(*f*) that having been registered in one constituency only at the commencement of the calendar year, he is about to be registered or has become registered before the end of the calendar year in more than one constituency owing to the inclusion of his name in a Scottish Parliamentary register which comes into force on the first of November in that year; or

"(*g*) that having selected a constituency in Scotland he has ceased or will cease before the end of the calendar year to be on the register of the selected constituency;

"and that there has been no unreasonable delay in making the application, the Court may by order allow the applicant to select for the purpose of this Act the constituency specified in the order.

"(2) The clerk of the county council or town clerk responsible for printing the Parliamentary register of the selected constituency shall act in accordance with any such order of the Court as if the order were a notice of selection given within the time required by this Act, and if the register has come into force shall transmit a copy of the order to the sheriff or returning officer having the custody of the register, and the sheriff or returning officer shall make the necessary mark on the register.

"(3) For the purpose of this section 'court' means the High Court or a court of summary jurisdiction or county court having jurisdiction in the constituency which the applicant under this section desires to select."—(*Mr. Harcourt.*)

Mr. Nield (*Middlesex, Ealing*) 1452
Mr. Harmood-Banner (*Liverpool, Everton*) 1452
Sir William Bull (*Hammersmith*) 1453

Amendment proposed to the Clause—

"In line 34, after the word 'force,' to insert the words 'shall cause the necessary mark to be made in all copies of the register and then.'"—(*Mr. Harmood-Banner.*)

Question proposed, "That those words be there inserted in the Clause."

Mr. Nield 1453
The First Commissioner of Works (*Mr. Harcourt, Lancashire, Rossendale*)
Mr. Walter Long (*Dublin, S.*) 1454

Sir Charles Dilke (*Gloucestershire, Forest of Dean*) 1455

Amendment, by leave, withdrawn.

Sir William Bull 1455
Mr. Courthope (*Sussex, Rye*) 1456

Amendment proposed to the clause—

"In line 37, after the word 'or,' to insert the words, 'the Lord Mayor's Court in the City of London, the Court of Passage in the city of Liverpool, and the Palatine Courts in the counties of Lancashire and Durham."—(*Sir William Bull.*)

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Question proposed, "That those words be there inserted in this clause."

Mr. Harcourt .. 1457
Sir Frederick Banbury (*City of London*) .. 1458
The Chancellor of the Exchequer (*Mr. Asquith, Fifeshire, E.*) .. 1459
Mr. Harmood-Banner .. 1460

Amendment, by leave, withdrawn.

Amendment proposed to the clause—

> "In line 39, at end, to add the words, 'or in which he resides.'"—(*Mr. Courthope.*)

Question, "That those words be there inserted," put, and agreed to.

Mr. Arthur Henderson (*Durham, Barnard Castle*) .. 1460

Amendment proposed to the clause—

> "In line 39, at end, to add after the words last added, the words, '(4) If any person becomes aware that he is registered in more than one constituency for the first time on the day of the poll or such a short time before that day that he has no reasonable opportunity of obtaining an order of a court under this section, he may make before the presiding officer of the polling station to which he is allotted in the constituency which he desires to select, a statutory declaration of selection in the form prescribed by Order in Council under this Act. A statutory declaration so made shall have the same effect as if the elector had given notice of his selection of the constituency in the manner required by this Act, and the presiding officer shall allow the elector to vote accordingly, and shall transmit any statutory declaration so made before him to the returning officer, and the returning officer shall cause the necessary mark to be made on the register.'"—(*Mr. Arthur Henderson.*)

Question proposed, "That those words be added to the clause ."

Mr. Harcourt .. 1461
Mr. Clavell Salter (*Hants, Basingstoke*) .. 1462
Mr. Walter Long .. 1463
Mr. Harcourt .. 1463
Mr. Stuart Wortley (*Sheffield, Hallam*) .. 1464
Lord R. Cecil (*Marylebone, E.*) .. 1464
Sir Frederick Banbury .. 1465
Mr. R. Pearce (*Staffs, Leek*) .. 1466
Mr. George Faber (*York*) .. 1466
Mr. Harcourt .. 1467
Sir Charles Dilke .. 1467
Mr. Austen Chamberlain (*Worcestershire, E.*) .. 1468
Mr. Courthope .. 1470
Captain Craig (*Down, E.*) .. 1470

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Amendment proposed to the proposed Amendment to the clause—

"In line 4, to leave out from the word 'section,' to end, and insert 'it shall be lawful for him to make a selection before the presiding officer of the polling station at which he is qualified to vote in the constituency which he selects, in the form prescribed by Order in Council under this Act.'"—(*Mr. Courthope.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment to the clause."

Mr. Harcourt 1470

Amendment to the Amendment, by leave, withdrawn.

Proposed words added to the clause.

Clause, as amended, added to the Bill.

New clause—

"A prosecution for an offence against this Act shall not be instituted except by or with the consent of the Attorney or Solicitor General."—(*Mr. Harcourt.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Sir Charles Dilke 1471

Question put, and agreed to.

Clause read a second time, and added to the Bill.

New clause—

"In the application of this Act to Ireland—'(1) Sections eighty-eight and ninety-three of The Representation of the People (Ireland) Act, 1850, shall be substituted for sections eighty-one and eighty-six respectively of The Parliamentary Voters Registration Act, 1843; and (2) Section three of the Parliamentary Registration (Ireland) Act, 1885, shall be substituted for section seventy-six of The Local Government Act, 1888; and (3) The clerk of the peace shall be substituted for the clerk of the county council or town clerk; and (4) The expressions 'Attorney-General,' and 'Solicitor-General' mean respectively the Attorney-General and the Solicitor-General for Ireland.'"—(*Mr. Harcourt.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Captain Craig 1472
Mr. T. L. Corbett (Down, N.) 1473

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Question put, and agreed to.

Clause read the second time, and added to the Bill.

Sir William Bull 1474
Sir Frederick Banbury 1474

New clause—

"That the statutory form be supplied by the overseers gratis to all plural voters."—(*Sir William Bull.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Mr. Harcourt 1475

Motion and Clause, by leave, withdrawn.

Sir E. Carson (*Dublin University*) 1475

New clause—

"Where the name of any person is inserted on the register of Parliamentary voters for the first time the clerk of the county council or town clerk shall serve a notice of the fact on such person, and shall thereby give notice that if he is registered in any other constituency it is necessary to serve a notice in accordance with and in the form and manner prescribed by the first section of this Act."—(*Sir E. Carson*).

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Mr. Harcourt 1476
Mr. Walter Long 1476
Mr. Clavell Salter 1477
Lord R. Cecil 1477
Mr. Lane-Fox (*Yorkshire, W.R., Barkston Ash*) 1479
Sir Frederick Banbury 1479
Mr. Hicks Beach (*Gloucestershire, Tewkesbury*) 1481
Mr. Austen Chamberlain 1481
Sir Charles Dilke 1482
The Attorney-General (*Sir John Walton, Leeds, S.*) 1482

Question put.

The House divided :—Ayes, 89 ; Noes, 338. (Division List No. 440.)

Mr. Courthope 1487

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New clause—

"The clerk of the county council or town clerk who is responsible for the printing of the Parliamentary register of any constituency, shall, before the first day of August preceding the commencement of the year in which the register is to begin to take effect, mark the name of every person who is entered on any register of Parliamentary electors for another constituency where it appears on the register in the manner prescribed by Order in Council, made under this Act, and shall keep the name of that person so marked in the register for every subsequent year so long as the name of that person continues without interruption to be included in both the said registers."—(*Mr. Courthope.*)

Brought up, and read a first time.

Motion made, and Question proposed, "That the clause be read a second time."

Mr. Harcourt 1488
Mr. Courthope 1489
Sir Frederick Banbury 1489
Mr. Austen Chamberlain 1490
Mr. Cave (Surrey, Kingston) 1490
Sir E. Carson 1490
Mr. William Rutherford (Liverpool, West Derby) 1490

Question put and negatived.

Lord R. Cecil 1491

New clause—

"This Act shall come into operation on the first day of January after the next General Election, unless before that time an Act shall be passed giving to women the franchise on the same terms and conditions upon which it is enjoyed by men, in which case it shall come into operation on the day fixed for the coming into operation of such last-mentioned Act."—(*Lord R. Cecil.*)

Brought up, and read a first time.

Motion made, and Question proposed, "That the clause be read a second time."

Mr. Asquith 1495
Mr. A. J. Balfour (City of London) 1495
Mr. Keir Hardie (Merthyr Tydvil) 1497
Mr. Nield 1498
Mr. Howard (Cumberland, Eskdale) 1498
Sir Frederick Banbury 1499

Question put.

The House divided:—Ayes, 50; Noes, 278. (Division List No. 441.)

Sir William Bull 1501
Mr. William Rutherford 1503

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New clause—

"If any person directly or indirectly, by himself or by any other person on his behalf, induces or attempts to induce any person to vote as a Parliamentary elector by informing that person that he is not registered in two or more constituencies knowing that he is so registered, or without having reasonable ground to believe he is not so registered, that person shall be guilty of undue influence within the meaning of Section 2 of The Corrupt and Illegal Practices Act, 1883."—(*Sir William Bull.*)

Brought up and read a first time.

Motion made, and Question proposed, "That the clause be read a second time."

Mr. Harcourt 1504
Mr. Courthope 1504
Mr. Akers-Douglas (Kent, St. Augustine's) 1504

Question put and negatived.

Mr. Stanley Wilson (Yorks, E.R., Holderness) 1505
Sir Frederick Banbury 1505

New clause—

"A Parliamentary voter may withdraw any selection made by him on giving notice to the clerk of the county council, or town clerk, having charge of the registers in which such selection was operative on or before the fifth day of September in any year, and the clerk of the county council, or town clerk, shall send to such voter an acknowledgment of the receipt of such withdrawal."—(*Mr. Stanley Wilson.*)

Brought up and read a first time.

Motion made, and Question proposed "That the clause be read a second time."

Mr. Harcourt 1505

Question put and negatived.

Mr. Stanley Wilson 1506
Mr. Courthope 1506

New clause—

"The overseers of every parish or township shall in the months of April or May in each year ascertain from every person in their parish or township, entitled to be registered as a Parliamentary elector, whether such person is registered in any other parish or township as a Parliamentary elector, and every person who is a Parliamentary elector in more than one parish or township shall have a distinctive mark placed against his name in the overseers' lists of voters."—(*Mr. Stanley Wilson.*)

Brought up. and read the first time.

Motion made and Question proposed, "That the clause be read a second time."

Mr. Harcourt .. 1507
Sir Frederick Banbury .. 1507
Mr. R. Pearce (Staffordshire, Leek) .. 1508
Mr. Walter Long .. 1510
Mr. Harcourt .. 1511
Mr. Thornton (Clapham) .. 1512
Mr. William Rutherford .. 1513
Mr. T. L. Corbett .. 1514
Mr. Lane Fox .. 1515
Captain Craig .. 1516

Question put.

The House divided :—Ayes, 62 ; Noes, 298. (Division List No. 442.)

Mr. Rawlinson (Cambridge University) .. 1519
Mr. Stanley Wilson .. 1520

New Clause—

"No nomination paper shall be invalidated by the fact that the registered elector signing it is not entitled, by reason of the provisions of this Act, to vote in the constituency."—(*Mr. Rawlinson.*)—

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Motion and clause, by leave, withdrawn.

Sir Frederick Banbury .. 1521
Mr. Harmood-Banner .. 1522

New clause—

"Any clerk of the county council or town clerk who shall wilfully neglect to carry out the provisions of this Act or any part thereof or who shall be wilfully guilty of any breach in the execution of this Act shall for every such offence be liable to pay, by way of fine, a sum of money not exceeding £5, nor less than 20s., to be imposed by and at the discretion of any barrister holding any court for the revision of any list of the parish or township of any such clerk of the county council or town clerk."—(*Sir Frederick Banbury.*)—

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be now read a second time."—(*Sir Frederick Banbury.*)

Mr. Harcourt .. 1523
Captain Craig .. 1524

And, it being half-past Ten of the clock, Mr. Speaker proceeded, pursuant to the Order of the House of the 26th November, to put forthwith the Question necessary to dispose of the clause already proposed from the Chair.

Question put, "That the clause be read a second time."

The House divided :—Ayes, 80 ; Noes, 346. (Division List No. 443.)

Motion made, and Question, "That further consideration of the Bill, as amended, be now adjourned,"—(*Mr. Whiteley.*)—put and agreed to.

Bill, as amended, to be further considered To-morrow.

ADJOURNMENT.—

Motion made, and Question, "That this House do now adjourn."—(*Mr. Whiteley*)—put, and agreed to.

Adjourned accordingly at twenty minutes before Eleven o'clock.

END OF TABLE OF CONTENTS TO VOL. CLXV.

VOLUME CLXV.

ERRATUM.

November 27. "Conventual Institutions." Col. 1425. MR. MEEHAN'S Supplementary Question *should read*—"Can the right hon. Gentleman say on what evidence the charge of cruelty and sweating is made against the religious orders? Is it a fact that no such evidence exists? Is he aware that the earnings of these religious institutions are spent in the service and for the benefit of the poor? Does the hon. Member who put this Question pay his own employees just wages and provide them suitable conditions of living? And is this country going, on hearsay or calumny, to become the persecutors of those who give their lives and fortunes to the service of the poor?"

THE

PARLIAMENTARY DEBATES

(*AUTHORISED EDITION*)

IN THE

FIRST SESSION OF THE *TWENTY-EIGHTH PARLIAMENT* OF THE UNITED
KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET
THE THIRTEENTH DAY OF FEBRUARY IN THE SIXTH YEAR OF THE
REIGN OF

HIS MAJESTY KING EDWARD VII.

FOURTEENTH VOLUME OF SESSION 1906.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Thursday, 15*th November*, 1906.

PETITIONS.

EDUCATION BILL — PETITIONS AGAINST.

THE LORD ARCHBISHOP OF CANTERBURY: My Lords, I have a number of petitions to present against the Education Bill. One set of petitions is from parents, inhabitants, and ratepayers, with 53,684 signatures — the number of petitions being 251—asking your Lordships to amend the Education Bill. Another petition, which is now on your Lordships' Table, has a peculiar importance. This is not a petition from ordinary ratepayers or from the public at large, but it is a petition from the actual trustees of church schools, men who are at this moment in the responsible position of trustees, and who desire to be allowed to continue to discharge that trust. The petition is, I think, almost unique in its character. It comes from 2,516 schools, and is signed by 7,023 trustees. What they ask is that your Lordships will not consent to any legislation which violates the principle of religious liberty, and forbids the petitioners from discharging their responsibilities as trustees.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against; 1. Of inhabitants, ratepayers, or parents of children attending schools in parishes of Broughton; Colton; Tidenham; Newnham-on-Severn; Sandhurst; Oxenton; Wonaston; High Ham; Northleach; Little Sodbury; Corfe; Bodmin; Colton; Charlcombe; Thurgoland; Little Peatling; Jevington; Great Bookham; Penistone (St. John the Baptist); Marylebone (Christ Church); Kemerton; Bourton-on-the-Hill (two); Monmouth (St. Mary's); Monmouth (St. Thomas); Monmouth; Eastbourne (Holy Trinity); Thorne (two); Blatherwycke; Caistor; Woodchester (two); Rendham; Wirksworth; Rodmaston; Compton; Woodeaton; Oldbury-on-Severn; Gloucester (Christ Church); Stanton;

Standish; Arthingworth; Gloucester (Christ Church); Alderton; Oldbury-on-Severn; Pauntley; Oxenhall; King Sterndale; Standish; Nidd; Panteg (St. Matthew's); Lopen; Hucknall Huthwaite; Edge; Twigworth and Longford; Cirencester; Buckland; Moreton; Twyford; Hempsted; St. Mary Cray, Panteg; Huddersfield (St. Peters); Kirby Cane; Gloucester (St. Marks); Moreton-in-Marsh; Aston-cum-Aughton; Llanfrechfra, etc.; Wakefield (St. John's); Minchinhampton; Herbrandston; Kessingland; Stoke-on-Trent; Buckland (St. Mary); Ferndale and Mardy; Warkton; Cleeve; Burnley (St. Margaret's); Caldicot; Belvedere; North Curry; Hunslet; Nottingham; Nottingham (St. John the Baptist); Eaton Square (St. Peter's); Llanfrynach; Cranham (two); Colne (St. Aldwyn); Southrop; Shipbourne, Gloucester (St. Paul's); Sutton Bonington; Beckingham; Kirk Langley; East Malling (two); Stroud; Wyck Risington (two); Taynton; Southborne; Charlton-on-Otmoor (two); Snargate; Orwell (two); Shotley; Bourton-on-the-Water; St. Paul's (London); Forescote; Newent; Cheltenham (St. Luke's); Orcheston (St. Mary); Much Hadham; Llanwonno; Stowting; Dulverton; Swarkestone; Stanton-by-Bridge; Broughton-in-Furness; Codsall; Brockworth; Lower Heyford; Bednall; Gloucester (St. Luke's); Chipping Sodbury (three); Winthorpe; Narcross; Chalford; Little Lausden; Stonehouse; Trevethin; Llanbradach; Cuckfield; Yazor (two); Mansel Lacey (two); Bedminster (St. Luke's); Winkfield; Thurcaston; Beverston; Rodborough; Mixbury; Hartwell and Stone; Croscombe; Huntley (two); Aberdovey; Newbury (St. John's); Wentworth; Wells; Darwen (Holy Trinity); Cardiff; Wotton-under-Edge; Canterbury (St. Mildred's); Wellow; Salford (St. Barnabas); Kentbury; Guilsborough; Buxton; Newark (Christ Church); Bawtry; Whorley; Nailsworth; Stow-on-the-Wold; Langlebury; Sevenhampton; Bishops Cleeve; Preston Capes; Longhope (two); Llanvafley; Frampton (two); Hagbourne East (two); Hagbourne West (two); Meysey Hampton; Kendal; Manchester (Victoria Park); Fitzhead; Ebrington; Stoke Bruerne; Tuldgeley; Shirenewton; Lancaster (St. Agnes); Holdenby; Harleston; Fivehead; Leinthall Earles; Litchurch; Newnham; Harrogate; Paddington; Enderby; Ashwell Thorpe; Wreningham; Stony Stanton; Cheltenham (St. Stephen's); Weston-in-Gordano; South Darley; Llansaint; Kilsby; Penrhos; Broadhempston; Woodleigh; Norton Canon; Upper Slaughter; Llandough; Ipswich (St. Margaret's); Southwell (St. Mary's); Lydd (St. Mary, Wisbech); Kenfig Hill; Radcliffe (St. Thomas); Bournemouth (St. Michael's); Upton, St. Leonard's; Carlton-on-Trent; Hull, St. Mary's; Llanmartin; Welton-le-Wold; Geldeston; Newport (St. John's); Trellech, &c.; Barby; Llangynwd; Leaden Roding; Dover; Stoke Golding; Silkstone; Scalford; Weavenham (All Saints' and St. Peter); Aberdare (St. Fagan); Cardiff (All Saints); Newcastle (Penyvai); Newcastle Higher; Laleston; Ynisawdre; Tythigston; Newcastle Lower (Bridgend); Heysham; Overton; Itchen Stoke; and parishes within the Archdeaconry of Worcester. Of Bedwellty Ruridecanal Council; South Lyncombe Church Council; Burford Ruridecanal Chapter; Chester-le-Street Ruridecanal Chapter; Deanery and Teachers of Weldon, Peterborough; Instruction Committee of Parish of St. Barnabas, Bristol; Conservative Association of Market Deeping; and Trustees of Church of England Schools in England and Wales; read, and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions for Amendment of; of inhabitants or parents of children attending schools in the parishes of Birmingham (St. Paul's); Kennington Park; Didmarton; Medbourne; Thistleton; Longney; Holborn (St. Albans); Sparsholt; South Normanton; Gordano; Morwenstowe; Gorton; Oldham (St. Mary's); Sidcup; Sidcup; Woodston; Bromfield; Preston (St. Matthew's); Priston; Cameley; Oake; Tixall; Hedenham; Folkestone (St. Mary and St. Eanswythe); Dunner; and Winslade; read and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

TRADE REPORTS: ANNUAL SERIES.

No. 3729. China (Trade of Chefoo for 1903–5).

COLONIES (MISCELLANEOUS).

No. 38. Reprint of a Report (written in 1884) upon the present position and prospects of the agricultural resources of the Island of St. Helena, by D. Morris, Esq., M.A., F.L.S., F.G.S., Director of Public Gardens and Plantations, Jamaica.

Presented (by Command) and ordered to lie on the Table.

ORDER OF BUSINESS.

THE LORD PRIVY SEAL (The Marquess of RIPON): My Lords, there is a Question standing in the name of the most rev. Primate which comes after the Education Bill on the Paper. It seems to me that the most convenient course, and that which would produce the most satisfactory discussion both upon the Education Bill and upon the question of the most rev. Primate, would be that we should take these Orders as they stand on the Paper—that is to say, that we should at once go into Committee on the Education Bill and continue that discussion up to the time when we adjourn for dinner, and that then we should leave the Education Bill for to-night and, on resuming our proceedings at 9 o'clock, proceed with the debate arising on the most rev. Primate's Question. If your Lordships approve of that, I propose to take that course.

EDUCATION (ENGLAND AND WALES) BILL.

House again in Committee (according to Order).

[The Earl of ONSLOW in the Chair.]

Clause 8:—

*THE LORD ARCHBISHOP OF CANTERBURY moved to insert the following after sub-section (2):—"(3)—(*a*) In every public elementary school in which extended facilities are afforded under this Act, the consent of the parents' committee shall be required to the appointment of teachers, but that consent shall not be withheld except upon grounds connected with the giving of religious instruction." He was merely proposing an extension of the powers which, in Clause 4, had already been given to what was there called the parents' committee, and he thought the additional power which, by this Amendment, he desired to give to that committee was in complete harmony with what had been already done, and he ventured to think that it was even in harmony with the expression of approval which had been given to it by His Majesty's Government. What he asked was that the parents' committee, on the existence of which the Committee had already decided, should have power to veto the appointment of a teacher on religious grounds. This was a point entirely confined to those schools which, under Clause 4, were already pronounced to have a frankly denominational character. There was an Amendment on the Paper until yesterday, standing in the name of Lord Clifford of Chudleigh, but that Amendment had apparently been withdrawn.

LORD CLIFFORD OF CHUDLEIGH explained that the disappearance of his Amendment from the Paper was merely a clerical error. He still intended moving it.

*THE LORD ARCHBISHOP OF CANTERBURY said he had supposed that the noble Lord had withdrawn the Amendment, as it was no longer on the Paper. He did not wish that the Amendment which he was now proposing should be regarded as in any way identical with the Amendment of Lord Clifford of Chudleigh. He was not arguing in favour of giving any such right to the parents' committee as was suggested in the Amendment of his noble friend, which gave them the right to nominate the teacher, subject to the approval of the local education authority. His Amendment fell very far short of that. It merely suggested that the parents' committee should have a power, on religious grounds, of expressing their objection, and effectively expressing their objection, to a teacher who had been nominated for appointment by the local education authority. The power to exercise that veto seemed to him to be eminently appropriate to the position which, with the approval of the Committee had been given to the parents' committee to deal with the religious side of the teaching in the frankly denominational schools. It seemed to him that, without some such proposal, it was hardly possible to give full effect to the wish which His

Majesty's Government had again and again expressed that these schools should be, in their full sense, denominational schools. The appointment he would still leave with the local education authority, but subject to some check on the part of those who could appropriately apply it as to whether the appointment thus made was one by means of which it would be possible to carry out the object for which the school held an exceptional position.

What he wanted to do was simply to make real and operative the denominational character which belonged to these schools, and to relieve the local education authority from a responsibility which he did not see how they could possibly exercise. He hoped they would hear from noble Lords who had had experience on local education authorities whether they desired to accept the responsibility of choosing teachers who, from the nature of the case, were denominational, and of discriminating among denominational teachers as to the person most suitable for a particular denominational school. That was a task which could hardly be laid satisfactorily on the local education authority, and it was almost as much for their sake as for the sake of the school that he desired to help them by giving a check elsewhere as to whether or not the teacher would be acceptable. He desired to secure the collateral interest of the parents and the local education authority in the religious teaching which was to go forward in this denominational and exceptional kind of school. He believed that by these means they would give life and force to the local interest which he was sadly afraid would wane under the Bill as it now stood. He believed that in any circumstances it would be almost impossible to centralise authority and management in the way the Bill suggested, without causing to languish or alienating a great deal of that local interest which was, in his judgment at least, quite vital to the healthy life of an elementary school. He specially felt that some such plan as this was necessary in the case of the schools which would come under Clause 4.

Then a further gain was that by this means they would enlist the interest of the parents, educationally, in the curriculum and management of the school. He felt that parents had—owing to the controversies on either side during the last year or two—grown to care a great deal more than they did before about what happened in detail within the walls of the school, and he was quite sure that, whatever else their Lordships might differ upon, there was no difference of opinion as to the desire which they all had that the parents of children attending elementary schools should be keenly interested in what went on within the school walls, bearing, as far as possible, some personal part in the general life of the school as a whole, and linking on the school days of the children to the life which would follow when their school days came to an end. He did not say that the parents generally throughout the country were ready to come forward and deal with this matter, but it was most desirable that they should help them so to do; and no single thing would stimulate their activity and interest in the matter as much as the sense that they had some responsibility.

Everything really depended on the selection of teachers in the frankly denominational schools. To say that they wanted the local education authority to have some help in making these appointments did not imply any mistrust whatever on their part of local education authorities generally. He ventured to protest with all friendliness against the imputation which had, not once or twice, been made in the course of this debate, that when they were guarding against something which might be a real wrong they were therefore showing distrust of local education authorities as a whole. He did not think that imputation was at all fair, and, if a retort were called for, he would be inclined to say that exactly the same kind of argument was used by the noble Earl the Lord President of the Council when he said that certain restrictions were necessary to prevent the misuse of local power by landlords or prominent residents in a neighbourhood. The noble Earl stated that there was no imputation against these individuals generally, but he added that there were exceptional cases against which he must guard. That was exactly what they felt with regard to the local education authorities. A man must be blind who was not aware of the fact that there were certain local education authorities who had already told them that they did not mean that

Clause 4 should be an operative clause in the areas over which they had control, and that they did practically intend that it should become a dead letter. He believed those authorities to be very few, but he thought that if that risk existed they were bound, so far as possible, to guard against it.

In addition, therefore, to what he regarded as the main purpose of his sub-section — the helping of local authorities to discharge the task which they would otherwise find it most difficult to fulfil—he wanted also to protect those who had schools under Clause 4 from the occasional wrongdoing or interference of the local education authority, who might render Clause 4 almost ludicrous if they exercised to the full the power which was given them under the Bill. Let them suppose, for example, the case of a Catholic school to which some keen Nonconformist was appointed headmaster by the local education authority. That was possible under the Bill, though most unlikely. But, on the other hand, there were cases of hardship far less unlikely than that. It was not by any means impossible that in certain areas a master or mistress might be appointed to a Church of England school, although he or she was known to be in no way in sympathy with Church of England teaching. That would be a mode in which, in the last resort, a hostile educational authority might defeat the purpose of this Bill.

He would like to add that he hoped that some amalgamation might be found ultimately possible between the managing committee of the school and the parents' committee on a selection committee. It seemed to him that the multiplication of these committees was a most undesirable thing on every ground, and would complicate the administrative work and the whole condition of things. The difficulties might, in his view, be very readily met by giving some strong representation of the parents themselves upon the managing committee of the school. It was impossible to bring that in on this clause, but he hoped the Question would be considered when the Bill was reprinted, as to whether some such amalgamation would not be possible.

Amendment moved—

"In page 7, line 8, after sub-section (2) to insert the words, '(3) (*a*) In every public elementary school in which extended facilities are afforded under this Act, the consent of the parents' committee shall be required to the appointment of teachers, but that consent shall not be withheld except upon grounds connected with the giving of religious instruction.' "—(*The Lord Archbishop of Canterbury.*)

Lord CLIFFORD of CHUDLEIGH said he had put down an Amendment affecting the appointment of teachers, but differing materially from the Amendment of the most rev. Primate. He thought the plan suggested in his Amendment was preferable on several grounds to that contained in the Amendment just moved. It was obvious that the local education authority, being debarred from making any inquiries into the religious convictions of the teacher and his capability to give denominational teaching, was absolutely unfitted to make the Clause 4 schools the reality which the Government had, without any variation, said they were frankly intended to be.

It seemed to him that, instead of the teacher being first appointed by the local authority to a particular school and then being objected to on religious grounds by the parents' committee who had control of the denominational education to be given in the school, as the Primate proposed, it would be far better, as his own Amendment suggested, for the parents' committee to submit a teacher or teachers to the local education authority for appointment.

His second ground was, he thought, peculiar, or very nearly so, to the body he was representing—namely, the Roman Catholics. Out of about 7,000 teachers in their schools nearly one-sixth were women. He asked their Lordships to imagine for a moment how it could be possible for the local education authority to form any idea of the suitability of these candidates, because they would obviously not be on the general list of teachers, and would, and could, only go to the particular schools conducted by their respective orders. They were a body of women of very high attainments; they held very high certificates and were very carefully trained, and their life of self-denial and self-abnegation had a very great effect on those entrusted to their care. He was convinced that unless it were arranged for these teachers to be presented and recommended to the local education authority, it would be almost impossible for that authority to staff and conduct these schools efficiently and properly. And he was sure that, were their services rendered impossible in these elementary schools, not only Catholics but the country at large would suffer a decided loss. The Catholics were very anxious to take their place in the educational system of the country. They conceived it to be their right to do so as citizens, taxpayers, and ratepayers and, above all, as parents of the children who attended these schools. What they wanted were Catholic schools with Catholic teachers for Catholic children, wherever that was reasonably possible, and he considered that his Amendment would serve to realise this more effectually than that of the most rev. Primate. If they failed to obtain this there would be left in the Catholic body a sense of wrong and of injustice, which would rankle until it was removed, and its removal would involve a struggle which would be carried on with pertinacity and faith in the justness of their cause, and with perfect confidence that the desire for right and justice which dwelt in the hearts of their fellow-citizens would in the end prevail.

Amendment moved to the proposed Amendment—

"To leave out all the words after the word 'Act' paragraph (a) to the end of the paragraph and to insert the words 'the appointment of teachers shall be made by the local education authority upon the nomination of the parents' committee, whose nominees shall not be rejected except on educational grounds.'"—(*Lord Clifford of Chudleigh.*)

*THE LORD PRESIDENT OF THE COUNCIL (The Earl of CREWE): My Lords, the most rev. Primate in introducing his Amendment described it as an extension of the powers of the parents' committee, the creation of which has already been sanctioned by your Lordships' House. That, no doubt, is true, but of course the point we have to consider is how far such an extension conflicts or agrees with the main objects and principles of the Bill. I frankly admit that it seems to me impossible. The change may be justified in the opinion of noble Lords, but it seems to me impossible to deny that, to a certain extent, this change, if introduced into the Bill, would involve the imposition of a religious test—I do not see how it is possible to get out of that—to a modified extent in the proposal of the most rev. Primate and to a much greater extent in the proposal of the noble Lord who has just sat down.

The most rev. Primate's proposal is that the consent of the parents' committee should be required to the appointment of the teacher—that is to say, that a teacher's name is presented and the parents' committee would have to inquire into his religious views, and unless those views were satisfactory to them, the teacher could not be appointed. That appears to me to be a test. Still more is that the case in the Amendment of the noble Lord opposite, because in that case the appointment would be made on the nomination of the parents' committee, who clearly would make special inquiry into the views of the teacher before he or she was nominated. I was impressed—and I am sure your Lordships were—by the earnestness with which the noble Lord who has just sat down stated his views on behalf of the Roman Catholic Church, and I fully appreciate what he said as to the existence of that very interesting body of lady teachers, belonging to religious orders, many of whom, as he said, are very highly trained and certificated, and whose services are greatly appreciated, not only by parents and children of their own Church, but in many cases, I know, by parents of children of the Church of England.

The noble Lord said that there ought to be some means of recommending these ladies as teachers to the local education authority because it was obvious that they would not appear on the general list. But what the noble Lord proposes is that the teacher should, in effect, be appointed, not recommended, by the parents' committee, and the only objection the local education authority could take would be on educational grounds, and that, of course, is an entirely different matter from any question of recommendation of the bringing of names before those with whom the appointment rests. The most rev. Primate has stated that, in his opinion, as a rule, local authorities would not be difficult to deal with in a matter of this kind. He carefully guarded himself against any supposition that local authorities were, as a rule, unreasonable or inclined to be tyrannical; but he wished to guard against the possibility of such a thing occurring, even though only in rare instances.

Now, I ask the most rev. Primate to consider for a moment what would happen under his Amendment. Supposing a local authority were thoroughly hostile and vindictive and disposed to be unreasonable. They would recommend a teacher to the parents' committee whom that committee would be quite unable to accept. Negotiations would pass, the parents' committee would persist in their refusal and the local authority, being thoroughly exasperated, would recommend another similar teacher, and apparently would proceed to do so *ad infinitum*. In that case it might be possible that, under the Amendments which your Lordships have inserted to Clause 5, there would be an appeal to the Board of Education. If the owner of the school-house or twenty parents—and I suppose the parents' committee might put either in motion—are dissatisfied with the action of the local authority under Section 4, or as to the mode in which extended facilities are afforded, there is an appeal. That might possibly be intended to meet this case. In that event there would be an appeal to the Board of Education as to the religious views of this particular teacher, and how far the parents' committee were justified in saying that his religious views were such that they did not think him competent to give religious instruction even if he were prepared to do so. But it would be utterly impossible for the Board of Education to deal with these perfectly personal and delicate questions. And if they did, I ask the most rev. Primate to consider this. The real effect would be that the teacher, in the end, would have to be appointed by the Board of Education—a very novel thing to ask of that Department—and one which, like many of the duties sought to be imposed upon us by the Bill as amended, we are by no means disposed to undertake.

But there is a more general consideration than this on which I would desire to appeal to the most rev. Primate. He, I know, is not one of those who take an extremely hostile view of what I may call the main principle of the Bill—namely, that public control and public money should go together. I therefore put this to him. Supposing his Amendment is added to the Bill, will not the local authority ask, "In respect of what is the school remaining on the rates? In what degree does any control of ours come in?" Would not a school run in this way be practically equivalent to a denominational school as run under the Act of 1902, or, as far as regards its management, to those State-aided schools which it is proposed to create, but which would not receive rates? It does seem to me exceedingly difficult to conceive any manner in which these schools could be said to be worked as provided schools, although they would be provided schools under the Act, and would get the benefit of rate aid and of having all their repairs carried out by the local authority. That is an exceedingly practical difficulty in this connection.

There is one more point to which I am bound to allude. Clause 4 has been very seriously altered in your Lordship's House. As you are well aware, when it came up from the House of Commons it was limited to schools in which four-fifths of the children were children of parents who desired this particular teaching, and very strict regulations were imposed for discovering that that proportion really existed. Your Lordships have turned that into a bare majority, and you are disposed to relax the restrictions. I quite admit that the most rev. Primate did not take part in that proceeding. I think he did not vote. The other most rev. Primate, the Archbishop of York, voted against the change which your Lordships opposite enforced. Your Lordships opposite were more episcopal on that occasion even than the Archbishops, but the fact remains that that is in the Bill as it now stands. I wish, therefore, to express the opinion that, even imagining that such a thing as this were possible, it only could, under any circumstances, be possible if it were applied to a class of school formed under very close restrictions such as those we inserted in our original Bill.

THE MARQUESS OF SALISBURY said that in the course of his interesting speech the noble Earl the Lord President of the Council had declared that if the Amendment were accepted he could not see in what way Clause 4 schools would differ from voluntary schools under the Act of 1902. They would differ profoundly. In the first place, the locality would have the advantage of the buildings for nothing. In respect of other schools rent was to be paid by the local authority for the use of the building, but in respect of Clause 4 schools there was to be no rent—that was to say, the denomination was to supply for nothing the building in which the school was carried on.

He contested the contention of the noble Earl that in respect of the teachers there would be any parallel between the condition of things which would exist if the most rev. Primate's Amendment were accepted and the condition of things under the Act of 1902. Under the Act of 1902 the voluntary managers appointed teachers subject to the veto of the local authority, whereas under the Amendment of the most rev. Primate the local authority would appoint subject to a veto by the parents' committee. There was all the difference in the world between the two proposals. He himself preferred the Amendment of his noble friend behind him. But, of course, the Bill was one for which they on that side could not take any degree of responsibility.

There was no greater delusion than to suppose that the Bill had been converted into a Bill approved by the Opposition. After all the Amendments which the Opposition had submitted were carried, the Bill would remain not only a thoroughly bad measure from the adminstrative standpoint, but one for which they on that side would not be responsible in any way from the religious standpoint either. He was unable to understand how the Government could decline to allow religious considerations to enter into the question of the appointment of the teacher. In Clause 11 the Government themselves laid down that the teacher was to be appointed subject to religious considerations.

LORD STANLEY OF ALDERLEY: That is the transitional clause.

THE MARQUESS OF SALISBURY said that might be, but the principle was admitted in it. The Lord President had admitted that it was impossible altogether to exclude religious considerations, but to suggest that those considerations should only have effect after and not before the appointment of the teacher was an absolute sham. He was sick of these Parliamentary shams. That had reference, not merely to denominational instruction but to undenominational instruction; it had reference just as much to the proficiency of the teacher in Cowper-Temple instruction as in the teaching of Anglican or Roman Catholic formularies. The question was whether the local education authority were equally competent to decide upon a teacher's Cowper-Temple capacity and his Anglican and Roman Catholic capacity. Some local education authorities rather fancied themselves in Cowper-Temple religion. They thought that they were able, with the assistance, perhaps, of a sermon from Dr. Clifford, to decide some of the most difficult questions which had puzzled learned men in all ages. But when it came to appointing a teacher to what was admittedly an Anglican, Roman Catholic, or other denominational school, it was evident the local education authority was not completely to be trusted.

Why did not the noble Earl get up and frankly tell them, as he knew quite well, that the question of the religious position of the teachers must be an element in their appointment, and that, without that, public opinion in England would be profoundly shocked? He agreed that most of the local authorities were to be trusted, and that in most cases they would work the clause in a manner of which few would have any reason to complain. But there were some who could not be completely trusted, and he could not imagine anything more natural or reasonable than that they should say they would have the one check provided by the most rev. Primate's Amendment.

They did not propose to take the appointment out of the hands of the education authority, but, in the last resort, if it were found that the teacher was thoroughly unqualified or perhaps unwilling to give the religious instruction, the parents' committee would have the right of exercising their veto. The noble Earl the other night had seemed to pooh-pooh the possibility of occasions of difficulty of the kind to which he had alluded arising. He would ask their Lordships to conceive the state of things in a small school with a single teacher, an enormous number of which existed in the rural parts of the country. If that teacher was appointed and was thoroughly disqualified from a religious point of view from giving the instruction, what a hopeless state of things would result! The children would require religious education, and yet the only teacher available would be unfit to give it, and would have to be forbidden by the authority from giving it.

*THE EARL OF CREWE: Are these four-fifths schools to which the noble Marquess is referring? The most rev. Primate's Amendment applies to them solely.

THE MARQUESS OF SALISBURY admitted that his criticism was of general application and would apply to all schools, but it applied tenfold to denominational schools, and it was to protect those schools that they were asking their Lordships to agree to the Amendment of the most rev. Primate. To ask them to agree to a provision that, in a school which was to have a denominational atmosphere, and as to which a parents' committee had been appointed, with the consent of the Government, in order to secure that denominational atmosphere, the teacher should be appointed without any reference to that committee, seemed to him so absurd that he could not believe the Government would resist the Amendment.

*LORD STANLEY OF ALDERLEY said that even in rural districts there were, as a general rule, at least two teachers in a school; the school with a single teacher would be almost invariably a very small school in a lonely rural district. The single-teacher school was an extreme rarity even in rural districts, and it was obvious that, even under Clause 4, as amended by their Lordships, the special facilities would not apply to these schools because there was still retained in the Bill the provision that other school accommodation must be available for the children of dissentient parents. Unless they assumed absolute unanimity in a hamlet, the case of granting Clause 4 facilities could not arise.

The noble Marquess had spoken of local authorities who were very pleased with themselves, and thought that, with the help of a sermon from Dr. Clifford, they could settle difficult questions on theology. Such authorities might flourish in Hertfordshire, but he had not come across any. The only case of which he had had experience where an attempt was made to set up religion by authority was in the memorable controversies in the School Board for London, when the protagonist in favour of that movement was a gentleman, well known to the noble Marquess, who had lately been in controversy with the Archbishop on a hymnal which was held by the most rev. Primate to lean rather to the teaching of the Church of Rome than to that of the Church of England. That was his one experience of an attempt to establish religious teaching under a local authority. He would now come to the Amendment of the most rev. Primate and to the Amendment which, though not strictly before the Committee, had been indicated as an alternative by the noble Lord opposite.

LORD CLIFFORD OF CHUDLEIGH asked what the noble Lord meant by saying that his Amendment was not before the Committee. He thought he had clearly explained that it was owing to an inadvertence that the Amendment had been taken off the Paper, but that he moved it all the same.

THE CHAIRMAN OF COMMITTEES: My noble friend is quite right in saying that his Amendment to the Amendment of the most rev. Primate is before the Committee.

LORD STANLEY OF ALDERLEY said he did not understand that the noble Lord had moved his Amendment. Continuing, the noble Lord reminded the Committee that in Clause 4 they had passed the words that teachers should, if they were willing to do so, give the religious instruction desired, and suggested that what the most rev. Primate evidently contemplated by his Amendment was that, if a teacher was not willing to do so, that should be a ground of incapacity and used, in the first instance, as a reason for rejecting him, or, if he changed his mind after a certain date, for turning him out. Under the most rev. Primate's Amendment, which would leave the teacher who in the ordinary council school gave Cowper-Temple teaching in a free position, the strictest tests would be imposed on teachers in Clause 4 schools, and the strictest obligation to give that teaching which under the Bill he was free to give or to withhold. The Amendment would strike at the root of the principle of public management. The strong desire shown by denominationalists to minimise the obligation to find alternative accommodation, following upon many other demands, seemed to him to be evidence of the utter impossibility of reconciling the principles of public management and the abolition of tests with the inordinate demands the denominationalists continued to make.

VISCOUNT ST. ALDWYN said he thought the noble Lord who had just sat down was a real enemy of Clause 4. He seemed to desire to render the exceptional facilities for religious instruction afforded by that clause absolutely unworkable. He suggested that something was being asked for denominational schools—for they were to be denominational schools—which had not been given in the case of council schools. The noble Lord had entirely forgotten the Amendment which was moved last night by the Government and accepted unanimously by their Lordships, which provided that nothing in this Act should prevent the local education authority from satisfying themselves as to the fitness of any person, who was willing to undertake to give religious instruction of the character permitted by Section 14 of the Act of 1870, to give that instruction. If the local education authority had that duty so strongly suggested to them with reference to council schools, *a fortiori* something of the same kind should be provided with reference to the schools which were to be purely denominational.

LORD STANLEY OF ALDERLEY: They have full power not to appoint any teacher who does not satisfy them.

VISCOUNT ST. ALDWYN: That is not clear. If it had been your Lordships would not have thought it necessary to insert the words "council schools."

LORD STANLEY OF ALDERLEY: In Clause 4 schools, and even in ordinary-facilities schools, those who require the facilities will themselves appoint the teacher to give that instruction.

VISCOUNT ST. ALDWYN: But they have not the power of appointing.

LORD STANLEY OF ALDERLEY: Yes, for religious instruction.

VISCOUNT ST. ALDWYN said if the noble Lord meant that those who were interested in the schools that came under Clause 4 would be satisfied with the power to appoint external teachers solely for the purpose of giving religious instruction, allowing the ordinary teacher to be an atheist or anything else, in spite of the school's having a denominational character, he thought that would not be accepted by anybody, not even by the Government. From everything that had been said with reference to this clause it had been admitted that it was the intention to make these schools denominational in their character, and how could that end be attained unless the teachers of the school were members of the denomination to which the school belonged? It was simply impossible. The persons who were concerned in this matter were the parents' committee who were to be responsible for and to have the control of the religious instruction in the school. He thought, however, that it would be very difficult practically to enforce the Amendment of the most rev. Primate except on appeal to the Board of Education. He sympathised with the object of the Amendment in combining the parents' committee with the local committees of management in Clause 15, and with the absolute necessity of maintaining local interest in these schools, for they could not be properly administered by one central authority alone. He suggested that the Amendment should be altered so as to provide that—

> "In every public elementary school in which extended facilities are afforded under this Act the local education authority shall consult with the parents' committee as to the appointment of any persons to be teachers in the school, and shall satisfy themselves that the persons so appointed are qualified and willing to give the religious instruction for which extended facilities are afforded."

This declaration would show, with reference to the denominational schools, not only the will, but the capacity to give proper religious instruction, and that the views of the parents' committee should be considered by the education authority who had to appoint the teacher.

Amendment moved to the proposed Amendment—

"After the word 'Act' in paragraph (*a*) to insert 'the local education authority shall consult with the parents' committee as to the appointment of any persons to be teachers in the schools, and shall satisfy themselves that the persons so appointed are qualified and willing to give the religious instruction for which the extended facilities are afforded.' "—(*Viscount St. Aldwyn.*)

VISCOUNT LLANDAFF enforced the view that the Clause 4 schools were to be denominational, that this was the intention of the Government, and that the teachers should be permitted to give denominational teaching. The noble Earl had stated that public control would be completely destroyed by the Amendment. He could hardly conceive that that argument was justifiable when they considered that under Clause 4 as it stood, not only would the local education authority have the use of the school, but they would have the nomination of the managers. The whole of the management of the school would be in the hands of the local education authority. In Clause 4, as the Government proposed it, public control through the managers was not held to be inconsistent with the giving of denominational religious instruction, and the public control of the local education authority was not diminished by the fact that denominational religious instruction was given in the school. The Government intended that that instruction should be given, and the only question was how could they make sure that it should be given, and given satisfactorily. Their Lordships had passed a provision in which it was laid down that the parents' committee were to be responsible for, and to have control of, religious instruction in the Clause 4 schools. How, he asked, could they control the religious instruction if they had no voice in the nomination of the teacher? The beginning of their control must be some voice in the selection of the person who was to give the instruction.

He supported the Amendment of Lord Clifford of Chudleigh, between which and the Amendment moved by the most rev. Primate, the difference was one not of principle, but of form and method only. The most rev. Primate had argued with great force that the interference of the parents' committee was really a help to the local education authority, and he proposed to give that help by conferring upon the parents' committee a veto upon the suggested appointment by the local education authority. Surely that was putting a very heavy burden on the parents' committee. They might be humble people in some out of the way village and they were to be empowered to veto the appointment of the local education authority comprised of men of importance and ability in the county. Surely it was rather a slap in the face, both to the local education authority and to the teacher appointed, to put a veto upon an appointment that had already been made. It seemed to him that in that way they were giving help to the local education authority, coupled with a slight both to them and their appointees.

What weighed more strongly with him was the argument that a number of their schools were provided, managed, and staffed by religious orders. What chance had they that a local education authority in Wales or in the West Riding would ever appoint a member of those religious orders to a teachership? It would be simply idle to expect that even a moderate much less a hostile, authority would ever dream of appointing a member of such a community to be a teacher. That was to Roman Catholics a most essential and vital matter. He earnestly appealed to the most rev. Primate to concede the Amendment of Lord Clifford of Chudleigh. There was no difference in principle between the two proposals. What his noble friend Lord Clifford of Chudleigh suggested was that names should be submitted to the local education authority, who should have the absolute power of vetoing those nominations if the nominees were not educationally qualified.

LORD BELPER said he had no wish to detain the Committee at any length, but the most rev. Primate had made an appeal to those who had had the onus of administering education, and though he did not pretend that he could voice with authority the opinions of others, yet he could state from a practical point of view the way in which local education authorities would look upon this matter when called upon to appoint a teacher under the circumstances of Clause 4. He thought it was perfectly clear that they would recognise, in the first instance, that where a school had been set up with special facilities for special denominational instruction it would be desirable that there should be a teacher of that denomination placed in the school. But they would not be in a position themselves, or very seldom would be in a position, without inquiry, to know the teachers whose views would be in consonance with those of the parents of the children attending the school, and they would feel bound to consult those from whom they could best get the information. It had been laid down that there should be a parents' committee, and that committee would, at all events, represent the parents in the district, and presumably would also represent the feelings of those by whom the school was erected. He ventured to think that the local education authority, being responsible for the education given in the school, would take care, in appointing a teacher, that they had such information laid before them by the parents' committee or some other suitable body as would enable them to come to a wise judgment upon the question of his or her suitability. He could not for the moment recall the terms of Viscount St. Aldwyn's suggested Amendment, but before the noble Viscount rose he (Lord Belper) had prepared this provision, which he thought would meet the view of many noble Lords:

> "The parents' committee may make recommendations to the local education authority in regard to the teachers to be appointed, and the local education authority shall, when making appointments, take such recommendations into consideration."

These words reserved the absolute authority of the local education authority in making the appointment, and they also ensured that the representations of the parents' committee would be taken into consideration. He had been very much exercised in mind, in listening to the discussion, as to what would be the position of the local authority with regard to the minor authorities set up under Clause 15. The provision in that clause as it stood would, he thought, lead to great confusion and difficulty. It would be much easier to retain the boards of management, with modifications in their powers, and to make the parents' committee a sub-committee of the board of managers, with the instruction that the managers should look to the committee for suggestions as to teachers. He hoped that the delegation question would be eventually solved in such a manner as to make the Bill workable.

LORD FITZMAURICE said he was grateful to the most rev. Prelate that in his speech introducing his Amendment he had expressed, not indeed for the first time, a general confidence in the local education authorities; and feared only that there might be, here and there, a local authority which would be disposed to act unreasonably. But he must point out that this proposal of the most rev. Prelate, like other proposals that had been made, took a very different colour in the eyes of those who sat on the Government Benches from what they might have assumed had not Clause 4 been so considerably altered by noble Lords opposite. By the change of the number from four-fifths to a bare majority of parents, whose consent was to be a condition of bringing a special facilities school into existence, the number of teachers who would be affected had been enormously increased; and the Government, in considering the most rev. Prelate's proposal, could not overlook that unfortunate Amendment merely because of the opinion of the noble Viscount opposite that, if the Bill became law, Clause 4 would probably be found to be without it. He was glad to notice there was present in the minds of noble Lords the administrative aspect of this question. Apparently they were at last about to hail the appearance, however faintly on the distant horizon, of the subject of education in the real sense of the term, and apart from what was called the religious difficulty. One of the chief objections of the Government to the Amendment was that it would still further complicate the administrative machine. The county councils, who would have to administer the Act, were becoming more and more alarmed at the growing number of Amendments, which would add enormously to their labours. Their Lordships were placed in a difficult position by the number of Amendments now before them, especially as the proposal of Lord Clifford of Chudleigh had unfortunately dropped out of the notice Paper; and his suggestion was that the question of the duties of the parents' committee should be postponed until they reached Clause 15, which dealt with schemes of delegation.

THE LORD ARCHBISHOP OF CANTERBURY said he was, perhaps, the last person in the Committee who wanted to stand upon the form in which a principle was asserted, provided that in any way they could obtain the security for which they sought. If the Government could hold out a hope that they would accept the words of the noble Viscount, even in some modified form, he would gladly substitute them for his own.

THE DUKE OF NORFOLK said it would not be possible for Catholics to accept the most rev. Prelate's proposal in the modified form suggested by the noble Viscount. They stood by the proposal of Lord Clifford of Chudleigh. They thought that the most rev. Prelate's proposal, even in the form in which it was moved, would not work out satisfactorily. It would be a most invidious task to throw upon the parents' committee to inquire into a teacher's beliefs after his appointment, and then perhaps to declare to the world that he did not come up to their standard from the religious point of view. Such a proceeding would be grossly unfair to the teacher as well as to the parents' committee.

The proper course was that proposed by Lord Clifford of Chudleigh, that the parents' committee should submit to the local authority a list of candidates with whom they were content on religious grounds, and that the local authority should then select from the list one with whose qualifications as a teacher they were satisfied. They had to consider whether friction was likely to arise, and to provide machinery to obviate it. He earnestly believed if they considered the two Amendments they would find his noble friend's was the more likely to achieve the desired object.

Undoubtedly they felt that this Amendment would safeguard the position of the religious teachers in their schools, which was very dear to them. He believed he might confidently appeal to the officials of the Board of Education to say that if those religious teachers were taken out of the schools it would be a distinct blow to the cause of education. What they were doing to this Bill could not be measured by the number of Amendments. If two Amendments would safeguard their denominational schools, then two should be passed; but if twenty Amendments were necessary, let them not be satisfied with eighteen.

They were told that this was no longer the Bill of the Government, but the Bill of the House of Lords. It was no such thing; it still remained the Bill of the Government with the Amendments grafted on it by their Lordships, and he very much feared that Amendments grafted on that stock would not be afforded support and nourishment. He honestly feared that the dangers lurking in the original Bill were there still, and had not been removed by their Amendments. They took upon themselves a very heavy responsibility indeed, when, as friends of religious education in the country, they allowed the Bill to pass its Second Reading, and he could not but feel that if they were asked to be satisfied with Amendments of such a shadowy kind as that which was now suggested by the most rev. Primate, when they came to the Third Reading of the Bill they must carefully consider it, as the same responsibility would confront them again in a more accentuated form. The Catholic Peers felt deeply that they could accept nothing less than his noble friend's Amendment, and he had been assured that the Jewish community were at one with them on this point.

VISCOUNT HALIFAX asked permission to quote from the writings of the late Archbishop Temple to show the opinion entertained by that authority. The late most rev. Primate had left it on record in his Life what his opinion was on this point. He said—

> "Why do we attach so much importance to our denominational schools? Is it not because of their denominational character? The educational character of these schools mainly depends upon the appointment of the teachers. No rules——

and he would beg their Lordships' attention to this point——

> "prescribing the kind of religious instruction, important as that instruction is, can be compared for a moment to the character of the teacher in determining what that school will be like . . . . . There is not, and there cannot be, the same security for the character of the teacher if he is merely appointed by the local authority."

He (Viscount Halifax) was speaking with the most profound conviction when he said that there were thousands and thousands of people all over the country who were looking to their Lordships' House to introduce Amendments which would really preserve the denominational character of Clause 4 schools; and that could not be done unless they preserved the denominational character of the teacher.

*THE MARQUESS OF LANSDOWNE: My Lords, your Lordships will, I cannot help thinking, be of opinion that the time has come when the sense of the Committee may be taken upon the Amendments before us. We have the Amendment of the noble Lord on the back benches and the Amendment of the most rev. Primate with the variant suggested by the noble Viscount behind me. The two Amendments differ, no doubt, in an important particular, but both of them are directed to the same purpose. The object of both the movers is to see to it that the 4th Clause of this Bill shall be a reality and not a sham. These 4th Clause schools are to be denominational schools. We have been told again and again that they are to be denominational schools; that their denominational character is to be retained; and that the old teaching is to go on. But, in our view, that is absolutely impossible unless precautions are taken at the outset to secure for them teachers who shall be qualified to give the particular form of religious instruction desired in those schools. And may I be permitted to say that that argument appears to me to hold good whether these Clause 4 schools are more or less in number. It is quite true that in consequence of the Amendment carried by your Lordships' House the number of these schools may be increased, but whether the number is large or small we contend that you cannot have a denominational school unless you have a teacher selected on account of his fitness to give denominational instruction.

Let us see for one moment how it is proposed to obtain this security. The Lord President of the Council has given us an idea of the mode in which he would set to work. We understood from him that in his view no questions are to be asked on the initial appointment of the teacher; but he suggested to us, curiously enough, the other evening that, although there were to be no questions, although it was not to be permissible to ask the teacher whether he was a Roman Catholic or a Jew, it was extremely likely that in most cases the local authority would have some means of finding out what a teacher was and would make the appointment on that knowledge.

*THE EARL OF CREWE: May I tell the noble Marquess what I was thinking of? I meant that in the case of those schools their character would be generally known by those who wished to serve in them as teachers, and it is presumed that teachers of the kind acceptable to the particular denomination would apply and that others would not apply.

*THE MARQUESS OF LANSDOWNE: The process then is a sort of blindfold process of selection, but the noble Earl explains that a corner of the handkerchief will be raised so that it will be possible to see pretty distinctly what kind of person you have to deal with. Then there is the Amendment of the most rev. Primate. With that we entertain a great feeling of sympathy on this side of the House, although we are disposed to prefer the form of words suggested by the noble Viscount behind me, which seem rather less peremptory in character, but at the same time to be well calculated to procure the desired result. We hold, with the most rev. Prelate, that you cannot exclude the parents' committee from a voice in the selection of teachers. You have already decided that that committee is to have control of, and to be responsible for, the religious instruction given in the school, and it is impossible that that control should be exercised or that responsibility assumed unless the committee is given a real voice in the selection of a teacher. Lord Clifford of Chudleigh proposes a somewhat different procedure. According to his Amendment it would be for the parents' committee to nominate the teacher and for the local education authority to confirm or object to the appointment as the case might be. In our view it is better that the task of originally selecting a teacher should not be thrown upon the shoulders of the local education authority; and for that reason we prefer the Amendment of the most rev. Primate. But, as I said just now, we think the variant suggested by the noble Marquess behind me is an improvement upon his wording. May I read the Amendment suggested by the noble Viscount, as the words are not on the Paper? They run—

> "The local education authority shall consult with the parents' committee as to the appointment of any persons to be teachers in the school, and shall satisfy themselves that the persons so appointed are qualified and willing to give the religious instruction for which the extended facilities are afforded."

Those concluding words, remember, are the words which the Committee adopted when we were dealing with council schools, and it seems to me that for reasons of symmetry alone they should find a place in the clause. One word as to the suggestion that the final consideration of this matter should stand over till we get to Clause 15. I am not quite sure whether the Amendment would very fittingly find a place in Clause 15, which deals with the functions of the county councils, but it may be possible, when we come to Clause 15, to consider how far this scheme of the parents' committee can be fitted into any scheme of local administration which may be agreed upon under that clause. We do not however see any reason why the Committee should defer a decision until we get to Clause 15. I am afraid I must tell the noble Lord behind me (Lord Clifford of Chudleigh) that we cannot follow him into the Lobby, but we are prepared to support the Amendment of the most rev. Primate as altered by the noble Viscount (Viscount St. Aldwyn).

THE CHAIRMAN OF COMMITTEES: The question is "That all the words after 'Act' in the Archbishop of Canterbury's Amendment be deleted."

On Question, "That the words proposed to be left out stand part of the Amendment," resolved in the negative.

LORD STANMORE: May I ask the noble Earl the Lord Chairman what the effect of this vote is upon the Amendment moved by Lord Clifford of Chudleigh?

THE CHAIRMAN OF COMMITTEES: It is competent for the Committee now to insert other words. The question now before the House is the proposal of Lord Clifford of Chudleigh to insert the words—"The appointment of teachers shall be made by the local education authority on the nomination of the parents' committee, whose nominee shall not be rejected except on educational grounds."

On Question, "That those words be there inserted," their Lordships divided:—Contents, 49; Not-contents, 137.

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Brassey, L.
Burghclere, L.
Calthorpe, L.
Carysfort, L. (*E. Carysfort.*)
Clements, L. (*E. Leitrim.*)
Clinton, L.
Colchester, L.
Courtney of Penwith, L.
De Mauley, L.
de Ros, L.
Denman, L.
Digby, L.
Elgin, L. (*E. Elgin and Kincardine.*)
Ellenborough, L.
Estcourt, L.
Eversley, L.
Faber, L.
Fairlie, L. (*E. Glasgow.*)
Fermanagh, L. (*E. Erne.*)
Fitzmaurice, L.
Glantawe, L.
Harris, L.
Hastings, L.
Haversham, L.
Headley, L.
Hemphill, L.
Hylton, L. [*Teller.*]
Kelvin, L.
Kenry, L. (*E. Dunraven and Mount-Earl.*)
Kilmarnock, L. (*E. Erroll.*)
Kinnaird, L.
Knaresborough, L.
Lawrence, L.
Llangattock, L.
Lyveden, L.
Macnaghten, L.
Manners, L.
Mendip, L. (*V. Clifden.*)
Napier, L.
O'Hagan, L.
Pirrie, L.
Poltimore, L.
Rathmore, L.
Ravensworth, L.
Reay, L.
Redesdale, L.
Revelstoke L.
Ribblesdale L.
Ritchie of Dundee L.
Sandhurst, L.
Saye and Sele, L.
Somerhill, L. (*M. Clanricarde.*)
Stalbridge, L.
Stanley of Alderley, L.
Stratheden and Campbell, L.
Tennyson, L.
Tweedmouth, L.
Waleran, L.
Wandsworth, L.
Weardale, L.
Welby, L.
Wolverton, L.
Zouche of Haryngworth, L.

THE CHAIRMAN OF COMMITTEES: The question I now have to put is that the words proposed by Viscount St. Aldwyn be inserted, viz.: "The local education authority shall consult with the parents' committee as to the appointment of any persons to be teachers in the school, and shall satisfy themselves that the persons so appointed are qualified and willing to give the religious instruction for which the extended facilities are afforded."

*THE EARL OF CREWE: My Lords, before the noble Earl in the Chair puts that question, I think perhaps it is as well that I should say one or two words on the manner in which it is regarded by His Majesty's Government. I think noble Lords opposite will agree that it is scarcely reasonable to expect us to give a definite opinion about this Amendment, in view of the fact that we have not actually seen it in writing, and have only heard it read. The House must also remember that the noble Lord opposite (Lord Belper) stated that a somewhat similar suggestion had occurred to him, and he read out some words which I am not able actually to remember, but the general purport of which I think the Committee will recollect, dealing with the same subject. We were unable, as I stated, to accept the Amendment of the noble Lord opposite, and as regards this one, I am not able at this stage to do more than say that the whole question, in the light of these two Amendments, will have our consideration. It is impossible for me to accept the words of the noble Viscount at this stage. And when I say "consideration," I mean consideration, because on one or two previous occasions when I have used that phrase I have been told by noble Lords opposite that I have accepted the idea. I mean "consideration." His Majesty's Government are fully alive to the arguments which have been used by the noble Viscount; and I was very glad that, in the course of his remarks, the noble Viscount saw the force of some of the objections which we raised against the Amendment as introduced by the most rev. Primate. Therefore, we are quite prepared to take the question into full consideration, but I am afraid I cannot accept the Amendment as described by the noble Viscount, or even as modified by the noble Lord opposite.

VISCOUNT ST. ALDWYN said he could quite understand the position taken up by the noble Earl on behalf of His Majesty's Government. It was perfectly true that he had not the wording of the proposed Amendment before him, and it was only natural that he should desire not to give any pledge on the subject. He hoped, however, that their Lordships would insert the words in the Bill. They would be open to reconsideration at a future state.

LORD STANLEY OF ALDERLEY thought the words suggested by Lord Belper were more satisfactory than those before the Committee, and they might form the basis of a settlement. He hoped Lord Belper would put his words on the Paper in plenty of time before the Report stage.

LORD BELPER explained that he had not moved an Amendment. He had suggested some words, but the Amendment moved by the noble Viscount met his view.

On Question, "That those words be there inserted," resolved in the affirmative.

Amendment, as amended, agreed to.

LORD CLIFFORD OF CHUDLEIGH said that the Amendment standing in his name was considered on Clause 4 and postponed until now, the Committee being of opinion that it could be better dealt with at this point. The provisions in the Amendment did not require any further explanation, and the only question was whether this was the proper place to insert it.

Amendment moved—

"In page 7, line 8, after the word 'worship,' to insert the words 'The religious instruction given in the school shall as regards its character be in accordance with the provisions of the trust deed (if any) relating to the school; and nothing in this section shall affect any provision in the trust deed giving to any ecclesiastical or denominational authority the power of deciding whether the character of the religious instruction is or is not in accordance with the provisions of the trust deed. The parents' committee shall have access to the school house at all times. Vacancies in the parents' committee caused by death, resignation, or otherwise, shall be filled by election by the parents attending the school or by nomination in the same manner as the original appointment was made. In all schools in which facilities are afforded under Clause 3 of this Act, in State-aided schools and schools used by the local education authority under Clause 11 of this Act, there shall be a parents' committee elected and nominated as provided in sub-section (4) of Clause 4 of this Act, and all the provisions above enacted shall apply to such committee.'"—(*Lord Clifford of Chudleigh.*)

*THE EARL OF CREWE: The Amendment of the noble Lord covers a certain amount of ground part of which has been covered already. The first Amendment is, I think, covered by the words which have been inserted at the beginning of Clause 4, to the effect that the local education authority shall afford extended facilities for religious instruction of some special character and in accordance with the trust deed, if any, of the school. Therefore, from the noble Lord's point of view it is unnecessary to insert those words. As regards the latter part of the paragraph, that nothing in this section shall affect any provision in the trust deed giving to any ecclesiastical or denominational authority the power of deciding, that I think has already been effected in repealing the Kenyon-Slaney clause of the Act of 1902. The effect of that repeal is to restore the state of things to what it was before that Act, and I conceive that what the noble Lord wishes to provide for in the latter part of this section dealing with ecclesiastical or denominational authority is that the law should be as it stood before that Act. As to the parents' committee having access to the school at all times, we could not agree to that. The parents' committee, as constituted, is to have control of, and be responsible for, the religious instruction given in the schools. I think that local authorities would resent the perpetual intrusion of these people during the time of secular education, with which they almost explicitly have nothing to do; and, therefore, I hope the noble Lord will not press his Amendment on that point. As regards the last paragraph, I am not quite sure whether the wording of the noble Lord's Amendment would not go a great deal further than I take it he means to go. If he means that ordinary schools under Clause 3 should have a parents' committee to manage the religious instruction, we take no exception to that, but it should only be the facilities instruction which they should manage. It clearly should not be the Cowper-Temple instruction, whereas, as the noble Lord's words stand at present, they possibly would apply to that. I I think the words "all the provisions above enacted" applying to such a committee might cover more ground than the noble Lord intends. I do not take it that he really means anything more than this, that in State-aided schools, in schools under Clause XI., and in ordinary facilities schools there should be a parents' committee to manage the religious instruction; but I am afraid his words go a great deal further than that and we cannot agree to them.

VISCOUNT ST. ALDWYN pointed out that the clause under discussion was a teachers' clause pure and simple, and that the Amendment referred to many other matters and not particularly to teachers. He hoped the noble Lord would not press the Amendment.

VISCOUNT LLANDAFF could not see any other place where the Amendment could be put in except here. The noble Earl the Lord President had expressed the opinion that Clause 4 rendered the first section of his noble friend's Amendment unnecessary, but Clause 4 only bound the local education authority. They wanted also to bind the parents' committee, who had the control of the actual giving of religious instruction. Words were necessary to be inserted to compel them to comply with the conditions in the trust deed. He therefore thought the words in the Amendment were not unnecessary. That the parents' committee should have access to the schoolhouse at all times the noble Earl had suggested was unreasonable. He (Viscount Llandaff) did not suppose that parents would wish to intrude during the time of secular education, and he had no doubt his noble friend would limit the Amendment by inserting the words "at all times when religious instruction is being given." The next clause about vacancies, he thought, was necessary. They must have some provision for filling up vacancies. The last paragraph in the Amendment raised a question to which he had called attention the other night. In a State-aided school and in a temporarily occupied school they would have under the Bill no managers, and, therefore, no means of appointing teachers. As the noble Earl the Lord President had said, they had repealed the section of the Act of 1902 which created the foundation managers, and those managers would no longer remain in existence. The noble Earl had also suggested that the Board of Education would have some power to create a body of managers who would appoint the teachers. With great respect to the noble Earl, he did not think that was so. He was not aware of any section in any Act of Parliament which gave the Board of Education power to constitute managers. Managers had always been appointed by statute. Some provision for the appointment of teachers in these schools was absolutely necessary. He thought the noble Earl would agree that in Clause 3 schools, as in Clause 4 schools, the Amendment of Viscount St. Aldwyn would apply equally. It seemed to him that all the paragraphs contained in his noble friend's Amendment were necessary and consistent with what the Committee had already done.

THE CHAIRMAN OF COMMITTEES: These provisions dealing with vacancies in the parents' committee and other matters seem to me hardly germane to the clause your Lordships have under consideration. They no doubt might very properly be raised on Report when we are dealing with Clause 4, or later when we come to Clause 15, which deals generally with the administration of schools.

VISCOUNT LLANDAFF reminded the Committee that the inconvenience caused was not the fault of his noble friend, because he proposed the Amendment on Clause 4, to which these matters were germane, only to be asked by the Leaders on both sides of the Committee to postpone it until the teachers' clause was reached. His noble friend accordingly postponed the Amendment until they reached the present clause, and it was very hard that he should now be shunted off to Clause 15.

LORD STANLEY OF ALDERLEY said that in Clause 4 it was enacted that the parents' committee should be responsible for, and have control of, the religious instruction. Now it was said that owing to the Kenyon-Slaney clause having been repealed the schools would be relegated to their old trust deeds. He took that to mean as to the character of the instruction—not that they were to be thrown back on every condition of the trust deeds. It was well known that in a great number of trust deeds of the National Society the whole control was left to the clergyman of the parish. He wished to ask whether the repeal of the Clause in question would affect the control of the instruction.

The EARL OF CAMPERDOWN: A question of order has been raised by the noble Earl the Lord Chairman, and surely we ought to decide that before discussing further questions.

LORD CLIFFORD OF CHUDLEIGH: I withdraw the Amendment for the present, on the understanding that at a later stage I shall have the opportunity of again moving it.

On Question, Clause 8, as amended, agreed to.

LORD BARNARD drew attention to the fact that one point dealing with teachers was partly covered in this clause and partly in Clause 27. He asked His Majesty's Government whether they would be prepared at a future stage to consider a proposal for either putting Clause 27 into this clause or moving the latter two sub-sections of this clause to Clause 27.

The EARL OF CREWE: I will give full consideration to the question raised by the noble Lord. I am afraid I cannot answer it at this moment. As regards the point raised by Lord Stanley of Alderley, I have always regarded this as very much a matter for the Committee to settle. The form of the Bill as it came up, your Lordships will remember, left the provision of all special denominational instruction out of school hours to be provided and paid for by the members of the denominations, and under those circumstances it seemed to be most reasonable to us that the manner in which that instruction should be conducted, and the terms on which it should be conducted, were really matters for the denominations themselves and for Parliament to decide. We had no very distinct wishes on the subject one way or the other, and I think remembering the form in which the Bill was introduced, that that was a reasonable course to take. My noble friend behind me will remember that, as the Bill was introduced, these schools were placed in a very different position from the present voluntary schools under the Kenyon-Slaney Clause. The Kenyon-Slaney Clause was, as many of us thought, a valuable addition to the Act of 1902, but the conditions in these schools, as we intended them to be, were so entirely different that we did not consider it reasonable or necessary to apply that clause. The question whether this religious instruction should be in accordance with the trust deed or whether the committee of parents should have a very distinct say as to its character and the manner in which it was conducted, is one for the denominations themselves, and on which the Committee could, if it desired, express an opinion. Before I sit down there is one other point on which I wish to make myself perfectly clear with reference to the Amendment moved by Viscount St. Aldwyn. We were not able, as the noble Viscount quite admitted, to express a definite opinion as to its merits, but of the two suggestions, I confess I preferred the words of the noble Lord below the gangway (Lord Belper). It certainly seemed to me, so far as I could gather them, that the words in the noble Viscount's Amendment contravened the provisions of sub-section (2) of Clause 8, whereas the phrase suggested by Lord Belper apparently did not, and, for that reason, so far as I could catch the purport of what he said, I preferred his words. But the noble Viscount and the Committee will understand that we are not bound to the acceptance of the principle that there should be anything like a preliminary inquiry by the local education authority into the religious belief of the teacher.

VISCOUNT ST. ALDWYN said he did not intend, in the words that he drew up, to contravene anything in Clause 8, any more than it had been contravened—and he did not believe it had been contravened at all—by the words which their Lordships had agreed to yesterday with regard to council schools. The matter was, of course, open to further consideration.

On Question, Clause 8, as amended, agreed to.

House resumed, and to be again in Committee this evening.

The sitting was then suspended, after the House agreeing, on the Motion of the MARQUESS OF RIPON, to give precedence on resuming to a question by the Archbishop ot Canterbury relating to the Chinese in the Transvaal.

THE CHINESE IN THE TRANSVAAL.

On resuming at 9 o'clock—

THE LORD ARCHBISHOP OF CANTERBURY said: I rise to ask the Secretary of State for the Colonies whether he is in a position to furnish any information respecting the result of investigations as to the prevalence of vice in the compounds occupied by Chinese coolies in the Transvaal. I shrink somewhat from opening in your Lordships' House a discussion upon a subject so painful and even terrible as that to which my Question alludes, but I feel bound in consistency to raise the question again at the earliest possible moment. Your Lordships may remember that two years ago, I think it was in February, 1904, † when the first discussion in this House took place on the subject of Chinese labour in the Transvaal, I ventured to call attention to what I thought was a branch of the subject which had been strangely overlooked, I mean the moral question involved in the arrangements which were then in contemplation, and I received at that time assurances that the obvious difficulties had not been ignored, that those perils were being in some way or other guarded against; and alike from the then representatives of the Colonial Office and from other noble Lords, and more especially from Lord Grey who is now in Canada, but who has been closely connected with South Africa and its work, the House received assurances that this matter would certainly be kept under careful surveillance, so that if possible the evils which I ventured to foreshadow might be averted. Now that is quite two and a half years ago, and from that time until now I have hardly ceased to make, indeed, I have not ceased to make, constant inquiries upon this subject in South Africa and from other sources where it seemed to me that information was likely to be, or ought to be, available. In the files of the Colonial Office will be found not one or two, but many more letters of an unofficial kind from me on this subject, and my further inquiries have extended to travellers in South Africa who have made a special study of the Chinese problem, and from residents in South Africa who have had opportunities of looking into this question, and who are likely to take an unprejudiced view. I have also made inquiries from the clergy and ministers of different denominations with whom I have been in correspondence as to what is happening in the Chinese compounds. I have further endeavoured, by frequent communications with those who are familiar with Chinese work elsewhere, especially in the Malay Peninsula and other places, to ascertain what is likely to be the South African peril in this respect if an inference may be drawn from what has happened elsewhere. The result of all these inquiries is that I know no subject upon which the conflict of evidence, where evidence exists, or the absence of evidence where it might have been expected to exist, has been so marked. I have had assurances that this dreaded evil had been either averted or the peril had been over-rated, and I have had assurances on the other side that the mischief was of the gravest possible kind at this hour, and I have never been able to obtain any certain first-hand assurances from one side or the other which seemed to me sufficiently trustworthy to justify one in taking any public action, or joining in a public demonstration upon this subject. It is not surprising that this subject is one upon which it is difficult to obtain accurate evidence. The very nature of the question at once suggests to any thinking man how difficult it must be to obtain really independent, trustworthy and first-hand information about it. But, my Lords, within the last week or two there has appeared in the Press a statement that official information has been procured and collected in South Africa, and that such information is now in the possession of the Colonial Office. As soon as I learned that this was so, or rather received the statement that this was so, I ventured to put a Question upon the Paper of your Lordships' House, and that Question would have been asked some little time ago but for the request of the noble Marquess the Leader of the House—and I am not complaining in the least degree of his action—who suggested that it might be well to wait until we had got on a little further with the Education Bill. Of course, I at once acceded to that request, but when I found that feeling was growing stronger upon this question I ventured to press that I might be allowed to ask the Question to-night rather than postpone it any longer. I want to thank the noble Marquess for the courtesy which he has shown me throughout on this matter. I feel bound to bring the question forward now to ascertain whether or not we are at least within reach of something that will enable us to judge from reliable evidence instead of from reports which may be discredited, because they are supposed to be biassed in one direction or another. I hope at last we are in a position to get some trustworthy information upon a matter so grave, not merely in its direct and immediate effect upon the surroundings in which the mischief takes place, but also in its possible indirect effects upon other populations than those of the Chinamen, a very terrible effect which would tarnish the honour and good name not only of England, but of her Colonies. That is all I have got to say. I ask this Question simply for information, and with no desire to embarrass the Government in difficulties which must be very great, and simply because I want to know whether anything is being done and whether there is any way in which we, in connection with these matters, whether by influencing public opinion or otherwise, can support or strengthen any efforts which may be necessary to put down this evil if the evil is found to be as grave as some people fear.

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† See (4) *Debates*, cxxix., 1001.

*LORD COLERIDGE: I thank the most rev. Primate for bringing this subject under the attention of the House, and I think I have some right to say a few words before the noble Earl replies to the Question. From first to last I, along with others who then sat on the other side of the House, have opposed and fought against the importation of Chinamen under this Ordinance, not only for other reasons connected with their importation, but also mainly for the grave risks which the most rev. Primate has urged against the system this evening. From the very first Lord Stanmore, whom I am sorry is not here, pointed out the vital difference between the conditions of this Ordinance and the conditions of all hitherto known Ordinances as they existed in the Empire. The main difference was that the Chinamen were allowed to come into the imported country as bachelors and were not accompanied by their wives and children. I remember in this House when we raised this question the noble Lord who is now High Commissioner in South Africa, Lord Selborne, indignantly pointed out to us the terms of this Ordinance, and exclaimed, "What could the Government do more?" I regret to say that in the contests which we have waged against this Ordinance for the last two years we have not had the open support of the most rev. Primate. He knew, as he told us in the speech he delivered upon this question more than two years ago, that the Chinaman would go into the Transvaal alone without being accompanied by any of the opposite sex. At that time I appealed and Lord Carrington and others also appealed to the most rev. Primate on more than one occasion to speak out in bold, clear, and unqualified terms of condemnation in regard to this traffic, and I believe such is the recognised weight which the most rev. Primate deservedly holds in the counsels of the country that if he had spoken the right word, and spoken it in time, the Chinamen would never have been imported, and these evils would never have arisen. I doubt not from reasons which were conclusive to him, but from reasons which I should think he now regrets, he hesitated on those occasions, and the result is what unfortunately we know to-day. This House disregarded and set aside our arguments, and the noble Duke of Marlborough, who then represented the Colonies in this House, finally had to admit that out of the 50,000 Chinese only two women had ultimately been imported. I know we had golden pictures drawn of the Chinamen in the compound. I remember the noble Earl Grey, now the Governor-General of Canada, went so far as to mention the words "garden city" in alluding to the Chinese compound. Lord Halifax, who spent some time in the country, told me that he had visited the compounds in South Africa, and that he was not able to find any one who had noticed any of the moral objections against the Chinese which had been brought forward in England. All I can say with regard to the noble Viscount's statement is that when he went on his tour in the Chinese compounds it must have been a very specially conducted tour. I know the Government are in great difficulties because they have never had a High Commissioner who disapproved of the importation of the Chinese. First we had Lord Milner, the *fons et origo* of the system, and I do not know whether noble Lords would be ready to sanction a continuation of his policy in South Africa. He was succeeded by Lord Selborne who was also, for reasons amply sufficient to himself, an advocate, and an ardent advocate, of the Chinese labour importation system. But now at last the truth is out, and I venture to think there is not a noble Lord in this House who will contradict what I say when I declare that the whole system is doomed. I make no extreme demands upon the Government; I do not ask them to do the impossible. I do not suggest that they can in a moment, with the wave of a wand, repatriate 50,000 or 60,000 Chinamen, but I do wish to ask one or two questions on this subject. First of all I ask the Government who knew of it? Where was the superintendent of labour? Where were his inspectors, all of them officials of the Government administration? Where were the compound managers who have been vouched for again and again in this House as such admirable administrators within the Chinese compound? Where were the recruiters who, if the tales be true, recruited from China into South Africa a class for the purpose of immorality? Did they know, and if they knew, did they tell, and if they did not tell, why did they not tell? I do not think the country will be satisfied with a mere half measure; they will want to bring home to somebody—and I do not care how high that somebody is—the responsibility for this state of things. That responsibility must be brought home to somebody. Although I do not ask for impossibilities I do urge upon the Colonial Secretary that nothing but a drastic remedy will do anything to appease the wholesome and very proper indignation which these revelations have produced.

Lord Coleridge.

THE LORD BISHOP OF BIRMINGHAM: I want to do what I can to emphasise the points raised in the most rev. Primate's Question. I have always unwillingly taken a great interest in this question owing to something which was told me at the very beginning of its discussion in this country. I thought that this Question was not going to be asked until next week, and then I should not have been able to be in the House, but as I am here I should like to add a few words upon the subject. When the importation of Chinese coolies was first under discussion, a layman who knew what he was talking about very well told me plainly that wherever Chinese were imported in large numbers, exclusively male, there unnatural vice followed as something not sporadic or occasional, but as something normal. I have never taken any part in decrying the importation of Chinese labour into South Africa on such grounds as the fear that they would be cruelly treated. I never thought that there was any bottom in such charges, and I have always dissociated myself from them. But exclusively on the moral ground I have always felt that the reasons why they should not be allowed, in the beginnings of a young community more particularly, were overwhelmingly strong, if such representations as were made to me were true. After that first information I was at pains to get all the information I could from various quarters, and like the most rev. Primate I have found it rather contradictory. Curiously enough, it seemed to me that the clergy were generally optimistic and the laity were almost uniformly of the opposite mind. We know that with regard to all such painful moral questions we find the same difficulties, namely, that it is the official guardians of morality who are the most blind as to what is going on. Again and again I have been told things so extraordinary about the prevalence of this vice amongst the Chinese under such conditions, that they have left on my mind the impression that it was very difficult to believe that such statements were true. We were told that the Chinese would have full liberty of being accompanied by their wives, and that they were to be established under normal conditions of family life. We were told almost simultaneously, by those who knew, that that was a mere matter of empty words, and that there was not the remotest chance of the Chinamen being accompanied by their wives, and that has turned out to be the case. The question continues to be agitated. On all moral matters it is notoriously difficult to get convincing evidence, because there is, as we all unhappily know, upon such questions a large conspiracy of silence. We know what the accusation is, and I want to make it as pointed and definite as I can. It is said that such vice exists in almost all communities, but that as a rule it exists as a sporadic but not as a normal vice. I believe that where this kind of vice becomes not sporadic but normal there it threatens fundamentally the moral well-being of a community, and I believe that to allow in the midst of any community, and most of all in the midst of a young and yet unformed community, any society in which this vice is known to be normal is to do that which is most fatally contrary to the progress of any young rising generation. I believe that although the society in which this vice normally exists is a comparatively small one and one which is separated from the rest of the community in a distinct manner, yet, as I should expect and as I have been informed, the state of morality in this distinctive community is well known. It is a continual subject of condemnation and discussion in the communities outside that this is what the Chinese do. Therefore, it not only means that there is something foul in itself in the midst of the community, but it also means that it spreads contamination around. I remember that this Question was asked some time ago in the House of Commons, and at that time Mr. Winston Churchill, with the Prime Minister sitting beside him, gave a most explicit Answer and a most explicit promise. He said that as these charges were made the Government would send out a Committee of Inquiry to South Africa, and if they found the charges were true, then during the temporary period during which the Chinese were still to be allowed in South Africa they would fundamentally revise their policy. I have heard that Question and that Answer read out in another place a few moments ago, so that I am sure that what I am quoting represents substantially, though I cannot pretend that it represents verbally, the Answer of His Majesty's Government, or the Answer of the Under-Secretary for the Colonies who represents the Government. The inquiry was made by the Government. It was made by Mr. Bucknill, and he has returned to this country and reported upon the subject. It is not my duty to inquire as to the conditions under which information or supposed information has become widespread, but your Lordships probably know how widespread and how different the statements are with regard to the evils complained of. I think your Lordships probably do not read what I think is one of the best and certainly one of the most influential of the religious organs of this country, I mean *The British Weekly*. If any of your Lordships do read that remarkable organ you will know how very wide the area of moral feeling must be which is profoundly deeply stirred about this question. In that perturbation I most profoundly share. I think it is one of those tremendous questions which a nation cannot evade, and I do not think that any kind of commercial necessity can justify a country in allowing the normal prevalence of that kind of vice in any community of which can possibly rid itself. It is with that belief that I earnestly ask His Majesty's Government to let us know what they intend to do with reference to the very definite undertaking given last August by the Under-Secretary for the Colonies with regard to an inquiry into this question and the results of that inquiry.

LORD REDESDALE: I have probably had more experience of the Chinese than any Member of your Lordships' House. I have lived with them in their own country, and in other countries, and I have lived with them in the Colonies, and I can only say that when the right rev. Prelate who has just sat down talks about these vices being normal and not sporadic amongst the Chinese, he does the Chinese an injustice which I am sure he would be the first to deplore. That there are vicious Chinese just as there are vicious Europeans is a certainty, but the great majority of the Chinese would view with horror not unlike that which the right rev. Prelate has so eloquently expressed, the existence of such crimes and vices amongst them. If it had not been for the Chinese many parts of the world which are now rich and thriving would not have been prosperous at all. In California and in the far Western States of America, without the Chinese the railroads could not have been built, the great cities could not have sprung up, and the state of prosperity which is the envy of the world could not have been brought into existence at all. The Chinaman is a frugal and industrious man and, at his best, is one of the very best citizens that I know anywhere. That there are bad Chinamen is a certainty, but to say that nameless vices are not sporadic but normal among them—and the right rev. Prelate repeated the word more than once in the course of his remarks—is a most unjust and unworthy accusation, and it is only fair that a man who has lived amongst them should get up and repudiate the charge to the best of his ability.

*The Earl of ELGIN: I make no complaint that the most rev. Primate has put to me this Question, although it has imposed upon me a very disagreeable duty, and I hope I may ask your Lordships' forbearance while I endeavour to discharge it. At the end of the summer sittings certain evidence was tendered to me of such a character that in any Court in this kingdom it would have been treated with closed doors. Therefore, of necessity, I treated it as confidential. That is the footing on which I communicated with the High Commissioner, and it is the footing on which the inquiry was instituted. It is right to say, particularly in view of the remarks of the noble Lord behind me, that the High Commissioner lost not a moment in instituting this inquiry. He entrusted it to one of his best officers, a gentleman with legal training which enabled him to take and sift the evidence which came before him. The Government remain of opinion that Mr. Bucknill's report and the evidence taken at the inquiry which he held must remain confidential. The right rev. Prelate has referred to what I suppose is an undoubted fact, that portions of this document have become public property. Those of us who have had to deal with confidential documents are not unacquainted with accidents of this kind, and all I can say upon that point is that it can only have become public from a misuse of a confidential document. The fact that we consider that it is necessary to treat these papers as confidential necessitates my making a statement to your Lordships, and what is still more onerous, I have had to examine the papers myself. I think I can say that the inquiry has been of an exhaustive character. Twenty-six witnesses were orally examined, and there was a great mass of documentary evidence, including fifteen reports from medical officers. The charges which were tendered to Mr. Bucknill may be summarised as follows—(1) That there were malpractices which were widespread, open, and scandalous; (2) that there were consequently demoralisation and disease; (3) that this state of things had been tolerated by the police and mine managers; and (4) that the natives of Africa were contaminated. It is obvious that I cannot say all that could be said upon all these topics without entering upon unmentionable details, but it is my duty to say that the Report states, and I am obliged from a survey of the evidence to concur, that the evidence goes to show that the offence prevails at most, if not all, of the compounds. That is a serious matter, but I do not suppose that anyone who, like the most rev. Prelate, had studied the question before could be entirely unprepared for it. Many on my side of the House always had a dread of this occurrence in our minds when we opposed the system. I can certainly say that that was so in my own case. I admit at once that this Report, making every allowance for certain qualifications which it contains, and which I will refer to immediately, does in my judgment strengthen the view that the permanent adoption of this system is impossible, and perhaps we are justified in calling upon the most rev. Primate and those who think with him to join us in that declaration.

But, my Lord, having said that, I am bound to add, and I gladly do so, that the grosser part of the accusations which the charges as tendered to me involved are not substantiated by the evidence. I say this on my own responsibility, and I am willing to stand by it. Having examined the Papers independently and the Report, that is the conclusion to which I have come. It is clear that one of the main difficulties which arose in checking this practice is the secrecy with which it is conducted, and that is a point to which the most rev. Prelate referred. Accordingly the estimates of the amount of crime vary greatly among those whose knowledge of the coolies both in China and South Africa is the largest. I rejoice to add that so far as my examination has gone I have found no single witness who came forward to say of his own knowledge that there were the open scandalous malpractices which were alleged. I admit at once that that would have been a reflection upon the public service and others concerned with the management of the mines which, so far as I am concerned, I am convinced that they do not deserve. Lord Coleridge asked me, I think, to throw the responsibility on some of those officials. I can only answer that if I thought it was the proper thing to do I should not hesitate to do it, but so far as my study of the evidence has gone, the result is what I have stated.

But further—and I am sure this will be satisfactory to your Lordships—I am glad to say that as regards the question of the contamination of the South African natives the Report states that the witnesses were practically unanimous in their view, and Mr. Bucknill himself was convinced, that this statement was without foundation. But even as it is, with these qualifications, the position is serious enough, and I can assure your Lordships that neither His Majesty's Government nor the High Commissioner—for I have had communication with him, and I think I can speak for him in this matter—underrate the urgency of the matter and the necessity for prompt action. I think I can say that the view which Lord Selborne takes of this matter is that, although certain charges may have been disproved, it is none the less the duty of the Government to stamp out the evil whenever and wherever it is found. The Prime Minister in another place has stated that the matters disclosed were engaging the most serious attention of the Government, who will adopt without delay such steps as may seem to them necessary to deal with the case. I think it will be evident from what I have said that there is no divergence whatever in the views of His Majesty's Government and His Majesty's representatives on the spot, or in the standard which we have set before ourselves. I had hoped that this Question would not have been asked for a few days, and that in that time I might have had further communication with the noble Lord the High Commissioner. As the matter now stands, I can only say that we shall use every means in our power to act upon any reasonable suspicion, and repatriate, as we are entitled to do under the Ordinance, any persons addicted to this practice. I mention this because there seems to be some doubt upon the matter. Of course the penalty which the law provides for the punishment of offences actually committed and detected will be rigorously enforced. I apologise to the House for inflicting upon it what has been to me, and what cannot fail to be to your Lordships, a painful statement, but we are anxious to conceal nothing which can be published with due regard to public decency, and I only hope that your Lordships, as the most rev. Primate has promised, will support His Majesty's Government in any action, however energetic, which they think the circumstances may call upon them to pursue.

*LORD HARRIS: I have had some experience on the subject of labour in South Africa, and perhaps it will be expected that I should say a few words upon this subject, however distasteful it may be to have to open one's mouth upon it. Although I have no direct authority to speak for either of the groups of mining houses in South Africa, I am perfectly certain that I can speak on their behalf as well as on behalf of the mining interests which I control, and I have no hesitation in saying that in every effort that the High Commissioner may make on the instructions of the noble Earl to stamp out this enormity, he will have the most cordial assistance of everyone connected with the mining industry. I think the noble Earl need not regret that he has been rather prematurely called upon to make this statement to-night, for although, of course, we accept implicitly his explanation that this Report is absolutely confidential, and that if anyone outside confidential circles has become apprised of its contents it must have been by a misuse of confidence, but it is a fact nevertheless, and it is unfortunate for the noble Earl, that certain newspapers representing his own Party allege that they have got copies of the Report, and upon the strength of that allegation they are making statements injurious to persons in positions of responsibility in South Africa. The allegations include the assertion that this crime is organised, systematised, and that perhaps what I may most shortly describe as "the professionals" are dressed in a particular way, and that they are moved about from mine to mine for the purpose. The last allegation I imagine must be untrue, because the Ordinance provides that these labourers cannot be moved about indiscriminately, and I take it from the noble Earl's statement to-night that these specific allegations which have been given such great publicity are incorrect. The Report tells us that the crime is so secret that it has been difficult to obtain the clear evidence, and therefore these allegations as regards the publicity of the crime are very improbable. One would hope that that immoral contamination which would flow from publicity has not yet been spread These are the inferences that one may draw from the statement that the noble Earl has made to-night. I join in every word of indignation that has been expressed in this House to-night, and most strongly emphasise the statement that it is impossible that such a state of things should be allowed to exist. Unfortunately one knows that it does exist wherever large communities of young men are brought together and where females are not present. The noble Earl always apprehended that this state of things might be discovered in the case of the Chinese in South Africa. I imagine that one might be apprehensive of finding it existing in any very large community of young men in any part of the world, but I think it is a satisfaction to know that the noble Earl can say on the careful perusal of the Report that even amongst the Chinese themselves the crime is so shameful that it is kept as secret as possible. That I should hope bears out what Lord Redesdale said just now in support of the character of the Chinese as a nation. I hope that that means that it will be possible to enlist the proper feeling and right-mindedness of by far the greater part of that community in stamping out the evil, and that it will be possible to exclude absolutely from their ranks any portion of the contamination that exists.

*THE MARQUESS OF LANSDOWNE: We are placed in some difficulty with regard to the discussion which has taken place in consequence of the interpellation of the most rev. Primate, for the facts which we are now discussing are not yet before us. We have heard this evening references to revelations which have lately been made. Of those revelations we, on this side of the House, are not aware. At the same time I am bound to say that when the noble Earl, the Secretary for the Colonies comes here and gives us his summary of the information before him, knowing his high character and sincerity, we accept that summary as being a correct and truthful account of the facts as he is aware of them. I gather from that summary that he is satisfied that this evil undoubtedly exists amongst the Chinese coolies. I heard him say, and I was glad to hear him say it, that some of the worst charges which had been made had not been substantiated. I think the expression he used was that the more scandalous of the malpractices had not been proved. We have been told that we who are now sitting on the Opposition benches and who were in favour of importing Chinese labour into South Africa ought to have anticipated that all these results would occur. As to that, all I have to say is that so far as we had any trustworthy data before us, they by no means justified that anticipation. Let me remind the House that there was—I cannot recall the exact date, for I was not prepared for this discussion, I think somewhere in the eighties—a Commission which inquired into the employment of Chinese labour in the province of British Columbia. That inquiry was undertaken in consequence of assertions which had been freely made with regard to the conduct of Chinamen. I think I am right in saying—and the noble Earl will correct me if I am wrong—that that Commission found that the Chinese coolies in British Columbia were, upon the whole, a more moral and better conducted community than the European workmen employed in the same circumstances. I must say that I was glad when I heard Lord Redesdale get up and bear witness to the many high and valuable qualities for which the Chinese race are distinguished. Like my noble friend I have seen something of Chinamen in different parts of the world, and I have no hesitation in saying that as a general rule the Chinaman is a hard-working, frugal, and well-conducted citizen, and there are many British provinces which would not be in the splendid position they are in to-day if it had not been for the presence of Chinese labour in their midst. Of course, to speak quite frankly, we must have been aware that where a great number of celibate labourers—I do not care whether they are Chinamen or belonging to any other nationality—are gathered together there will be a certain amount of vice and immorality. But we had no reason whatever for supposing that that vice and immorality would be of the character which is now imputed to the Chinese community. Let me also remind the House that when this question was referred to in the debate on the Address at the beginning of the present session, and when His Majesty's Government had had therefore something like three months during which they might have considered the question, the attitude which they then assumed towards it was this: that the question of the employment of Chinese labour was one which might well be left to be dealt with by the responsible Government which was about to be accorded to the two Colonies. That shows that up to that point, at any rate, His Majesty's Government had no reason to believe that these imputations were well founded. We now understand that there has been an inquiry conducted by a trusted officer appointed by Lord Selborne for that purpose; that that inquiry has disclosed the very grave condition of things to which the noble Earl has called attention. All we can say is that if that is so we shall certainly, as far as our opportunities permit, give our support to His Majesty's Government in dealing energetically with this evil wherever it can be shown to exist. I hope I do not misunderstand the noble Earl when I gather that he told us that there had been no connivance on the part of the local officials. Is that so?

THE EARL OF ELGIN: I do not think that is imputed in the evidence.

*THE MARQUESS OF LANSDOWNE: I am glad to hear that, because in the Reports which had been circulated on this subject it has been stated that there was evidence to show that there had been connivance upon the part of the officials. All I can say is that if any connivance could be brought home to them, I could conceive no measures too severe to deal with such a grave dereliction of duty. We shall so far as we can support His Majesty's Government in their efforts to stamp out this evil, wherever it can be found, and to that extent I am entirely in accord with what fell from the Secretary of State for the Colonies.

EDUCATION (ENGLAND AND WALES) BILL.

House again in Committee (according to order).

[The Earl of ONSLOW in the Chair.]

Clause 9:—

VISCOUNT LLANDAFF moved to leave out the word "charitable" in the first sub-section and insert the word "educational." He said that Clause 9 enabled the local education authority to apply to the Commission established by this Bill if they desired to turn into a provided school any elementary school held under a charitable trust. Their Lordships were aware that the term "charitable trusts" was a very wide one, covering not only a trust for public elementary education but trusts for a great many other objects of public utility, such as public worship, Sunday instruction, the relief of the poor, and a vast number of other trusts of that sort. There were in the country a great many elementary schools, the trustees of which had an alternative in their trusts. They might use the buildings and endowment either for a public elementary school or for other purposes such as Sunday schools or religious observances, or they might turn their buildings into almshouses and apply their funds to that purpose. Those alternative trusts were all charitable trusts, and therefore under this clause as it stood, trustees who had such an alternative trust could be brought before and be dealt with by the Commission. It was perfectly true that His Majesty's Government had more than once expressed clearly the view that trustees with an alternative trust ought not to have their endowments or buildings or school houses interfered with by the Commission. He would just read to the Committee a passage from one of Mr. Birrell's speeches—

> "I thought I had made it plain that under the scope of this clause, only those schools could be compelled to permit the use of their premises for the purpose of a public elementary school when it was quite plain that that was the only way in which they could discharge their trust."

No language could be clearer than that. He also said that in the case of private owners and trustees, where there was an alternative trust, so far as the Bill was concerned, they would be free agents. Therefore, it was quite clear that in the mind of the Government, if those trustees were brought before the Commission, they ought to be set free, and be told that as they had an alternative trust their endowments could not be touched. If that was to be the result of bringing them before the Commission, why bring them before that tribunal at all? They might be trustees in Northumberland and Durham who were not provided with the means of locomotion, and why put them to the cost of making this defence? Surely it was only a sensible view that they should not use words in the Bill that would enable anybody to bring before the Commission trustees who were not liable to have their funds alienated and their school turned into a public elementary school. Therefore he thought this clause should be confined to educational trusts. If a trust gave the trustees no option but to supply elementary education, then they were proper subjects for the Commission to deal with. But it seemed to him a little cruel to expose to this liability trustees who had an alternative trust.

Viscount Llandaff.

Amendment moved—

"In page 7, line 29, to leave out the word 'charitable' and insert the word 'educational.'"—(*Viscount Llandaff.*)

*THE LORD BISHOP OF LONDON said he was desirous of obtaining more information about this clause from the Lord President of the Council. He wanted to know if his interpretation of the process which he and others who had built schools within the last eight or ten years in the slums of London would have to go through under this clause was correct or not. First of all, he understood that he would have to be taken before the Commission of three in case he did not wish to transfer his school. He then understood that if he wished to keep it as an elementary school he would have to give a guarantee for continuing that school for five years. He put it to their Lordships whether he had not a grievance in regard to that provision? To take a concrete instance of a perfectly new and very beautiful Church school which a few years ago out of their poverty they had built in the middle of Bethnal Green for £8,000. Supposing he did not wish to transfer that school? He would be asked, first of all, to give a five years guarantee that he would be able to carry it on as a public elementary school. In a place like London a guarantee of that sort was a very serious thing indeed in a poor district. Even if he did give the five years guarantee the Commission, on looking into the matter, had power to say to him, "Well, on the whole, whether you like it or not, we consider your trust can be best carried out as a provided school"—in other words, that it must cease to be a Church school. In that case the large expenditure to which they had been put would be diverted to another purpose against his will. It might be said that they would be given rent for the school, but he would reply that they did not find that £8,000 to produce rent. If they had wanted a building to produce rent they would have selected a building suitable for a rubber or a boot factory, or spent their £8,000 upon something that would have brought them in a substantial monetary return. Then he looked about to see what rent he was going to get for that brand new school, and he found that the things which the Commission had to look to were four in number, all of which were on the side of the local education authority and not on his side at all. The matters which the Commission had to have regard to were—

> "(i) The grants or assistance, if any, received from public funds towards the building, enlargement, or improvement, or fitting up of the school-house;
>
> "(ii) The limited nature of the user thereof by the local education authority;
>
> "(iii) The facilities given therein for special religious instruction and the performance of the original trusts;
>
> "(iv) The cost of maintenance and repair."

There was nothing to say that the Commissioners should consider in any way the fact that £8,000 had been spent on that school by a number of very poor people. It might be said, "Yes, but you will get facilities upon two days and perhaps more." But they did not build that school for facilities. They built it to have a school with a religious atmosphere in the middle of that large slum district, and it was an atmosphere that was so popular that the school was crowded with children from the first and had been crowded ever since. His contention was that unless he had interpreted this clause wrongly that school, against the will of the owner, would be dragged down from being a Church school into being a provided school, and as far as he could see the owners would have no redress. That school was under a trust deed. He only gave it as an illustration, but there were thousands of similar cases all over the country. They had been encouraged by the Government to build those schools, and they had been told that if they erected them their maintenance would be placed upon public funds. He thought in the case of a school like the one he had mentioned they had a great grievance. In such cases there was a double trust, namely, the educational trust and a trust for teaching the children in the tenets of the Church of England. If the State made them break the religious part of the trust, was it right that they should make such educational use of it as they thought fit? Those beautiful schools were to be taken from them against their will. His grievance under the clause was that they were not permitted to keep such schools for the purposes for which they were built. If the clause was under consideration on Monday, he should move the insertion of these words—

> "Without prejudice to the exercise by the trustees of any discretion vested in them as to the application of the schoolhouse to some other charitable purpose."

THE EARL OF CAMPERDOWN said the right rev. Prelate seemed to have passed on in his remarks to a later part of the clause. When they came to discuss the other portions he had two or three points which he would like to state. In the meantime the Amendment was to omit the word "charitable" and insert the word "educational." What he thought they were anxious to know from the Government was why they had chosen a wide word like "charitable," which included a great deal more than "educational," when, in reality, the schoolhouses had reference only to education. As they understood it, this Commission was to be established for the purpose of dealing with trusts connected with education, and education only.

THE LORD BISHOP OF ST. DAVID'S pointed out that what had been called alternative trusts were, in another place, called open trusts. The Minister for Education had said that alternative trusts referred to such cases as the Wesleyan schools, and he went on to say—

> "He did not suppose that they would be brought before the Commission at all."

But the Attorney-General went further than that, and said—

> "Open trusts, where there were large discretionary powers, would not, he should think, come within the scope of the clause."

He was sure the noble Earl would be glad to have an opportunity to explain this point upon which there seemed to have been some misunderstanding in regard to the statement made by one of the Law Officers of the Crown. He wished to know whether they were to take it that alternative and open trusts were not trusts at all. He did not venture to suggest the course the noble Earl and the Government should take, but he thought their Lordships would agree with him that it would be well if that matter were cleared up, because from what had been said in another place the point was by no means clear at present.

LORD BARNARD said he was sorry to differ from the Earl of Camperdown and Viscount Llandaff upon this point. The term "charitable trusts" was used very deliberately. It was a term well understood in law, and even if the clause was limited to "educational trusts," they would still remain "charitable trusts." It should not be forgotten that this Bill dealt only with schoolhouses and property subject to educational trusts. If the property which Viscount Llandaff alluded to was not subject to a trust for education at all, it would not come within the purview of the Bill, and therefore it could not be treated as an alternative trust. That was a matter, however, which had better be dealt with later in the clause. He was not altogether in accord with His Majesty's Government upon the Bill, but on this point he felt quite clear that the words "charitable trusts" were used correctly and ought to be retained in the Bill.

*THE EARL OF CREWE: I have to ask your Lordships' indulgence in dealing with a point which in the main is really a point of law. When I alluded to certain legal aspects of this measure on the Second Reading, the noble Earl was not in his place, but the late Lord Chancellor twitted me with having rather rashly stepped within those precincts. I can assure you that I approach those dreadful precincts on tiptoe, and I am prepared to run away whenever any learned and noble Earl raises an intricate legal point. But after all, these matters have to be dealt with by the votes of laymen, and laymen will have to play a considerable part in the administration of this clause. Consequently, although in a very crude and imperfect manner, I hope I may be able to excite in the minds of those who are as ignorant as I am some perceptions of a kindred nature. The single point raised by the Amendment of the noble and learned Lord on the cross benches is that we have used the term "charitable trusts" instead of "educational trusts." But Lord Barnard has indicated in the main the reasons which induced the Government to insert the word "charitable" instead of "educational." So far as this clause is concerned, it may be the case that the word actually used does not very greatly matter. The Bishop of London has asked me to indicate what the process would be when a school came before the Commission. What happens is this. Under Clause 1 any school which is not a provided school receives neither rate nor grant. Therefore, every school which is subject to a charitable trust has to consider whether its trust can be carried on or not. It may be carried on as the right rev. Prelate indicated by being turned into a certified efficient school, but I will not attempt to deal with the reason which induced us to say that a five years guarantee would be necessary for that purpose. Consequently, owing to the provisions of the Bill, all schools subject to trusts are liable to go before the Commission. If it is found that the trust is of an alternative character, and of the kind mentioned by the noble Viscount, the Commission will be able to declare that fact and authorise the trustees to carry out their trusts in an alternative way. When the right rev. Prelate complains that the Commission may have to consider what is the best mode of giving effect to the trust, and expresses the fear that it might always mean the turning of the school into a provided school, I must ask him to look at the top of the same page of the Bill where he will find it stated that—

> "The Commission shall act in accordance with the principles followed by the High Court in exercising as the successors of the Court of Chancery the ordinary jurisdiction as to charities inherent in that Court."

It is perfectly obvious that if there is really an alternative the Commission would give the trustees the option of exercising that trust as a matter of course and acting on behalf of the Court of Chancery. Consequently, when "the best mode" is spoken of it means the best mode subject to the principles of the Court of Chancery. Viscount Llandaff said it was a hardship that these people should go before the Commissioners at all, but they must go before somebody unless they are prepared to carry on their school as a certified efficient school without public funds.

VISCOUNT LLANDAFF: But they have an alternative trust?

*THE EARL OF CREWE: But surely someone must approve a scheme on which an alternative trust can be exercised, or otherwise anyone could bring the trustees before the Court for not exercising their trust in a proper manner.

THE EARL OF CAMPERDOWN: They might make an arrangement under Clause 2.

*THE EARL OF CREWE: That is perfectly true. I would, however, draw attention to the first words of the clause, which state—

> "Where the schoolhouse of an existing voluntary school is held under charitable trusts and no arrangement has been made with respect to schoolhouse under this Act."

If no arrangement has been made the school cannot be carried on. It has been said that these parties should appear before the Commission and have their trusts examined in order to see if they are of an alternative nature, and then they would be free to carry them out. These trusts are of a most various character, and they contain all manner of provisions. There are a number of Roman Catholic trusts which allow alienation from educational to other purposes. Those will be dismissed by the Commissioners if the trustees choose to carry out their trusts in another way. On the other hand, there are declaratory trusts, where a declaration of trust has been made in quite recent years after a long-continued user of the schools as elementary schools. That applies where the schools are now declared primarily to exist as Roman Catholic elementary schools, and secondly, for charitable purposes. Whether those schools would be allowed to go free and select the other alternative would, of course, be a matter which the Commission would have to decide.

As to mixed trusts as distinct from alternative trusts, and where the purpose for which each part of the trust is to be used is clear, I do not know what the noble Viscount would suggest; but I ask whether it would not be a convenience if mixed trusts could be dealt with as a whole by the Commission in one scheme, instead of obliging the trustees to come before the Commission, and probably before the Charity Commissioners or the Court, to get a fresh scheme for the other part. That would be a convenience for the trustees. There is nothing in the Bill which would prevent the Commission from making a complete scheme for the whole trust if the trustees desired it. No one suggests, I should imagine, that the Commission would do anything of this kind against the will of the trustees. I think the question of the interference of the Court of Chancery arises on a later Amendment, and therefore I will not attempt to deal with it now. As regards the insertion of the word "educational" instead of "charitable," we adhere to our belief that the word "charitable" is the better word to use. I do not think that the insertion of the word "educational" would make any practical difference so far as Clause 9 is concerned, although I might have something to say on a later clause upon which the noble Viscount again wishes to make a change. I hope the Committee will take the opinion of Lord Barnard on these matters in addition to the opinion of His Majesty's Government, and I appeal to the noble Viscount to withdraw his Amendment.

LORD ASHBOURNE said it appeared to him that the noble Earl had not confined himself to the first Amendment, but had dealt more or less with the general scheme of the clause. The first suggestion made by his noble friend was that "charitable" was not the proper word to use, and that a better word would be "educational." He looked upon that as a complement to the scheme of the Bill, because the words used in Clause 2 were "charitable trusts." They started with the words "charitable trusts," and they gave the owners of a schoolhouse with charitable trusts the power of making an arrangement. This clause was the complement of that proposal, and it provided that where a schoolhouse, subject to such a trust, had not made an arrangement, then the Commissioners would come in and deal with the school which had not been dealt with in the way laid down under Clause 2. He would prefer that, on the Report stage, that that idea should be considered in reference to the two clauses. It would be convenient to deal with the point upon a later clause, and he hoped his noble friend would allow that part of his Amendment to stand over until the next stage of the Bill.

THE LORD BISHOP OF ST. DAVID'S gathered from the noble Earl's reply that the statement made by the Attorney-General was not the view taken by the noble Earl himself. The Attorney-General had said that an alternative trust would not come before the Commission at all, but he gathered from the reply which had just been given that that was not so. He understood that where there was an alternative trust the trustees had a discretion, but it appeared to him that this proviso took away that discretion from the trustees and vested it in the Commission of Three.

VISCOUNT LLANDAFF said he would not put the Committee to the trouble of a division, but he would like the noble Earl to consider seriously whether this provision was not inflicting a hardship on trustees who had an alternative trust. Supposing in the case of a mixed trust part of the funds had to be devoted to public elementary education and part to providing almshouses for old people: under this Bill they might bring those trustees before the Commission and the whole endowment might be devoted to the purposes of public elementary education, which would clearly be wrong. His view was that they took the educational trusts and the trusts that were not educational, and turned the schools held under both into public elementary schools, and he thought that was a hardship.

*THE EARL OF CREWE: There is no reason why the Commission should do that any more than the Court of Chancery or the Charity Commissioners.

VISCOUNT LLANDAFF said he thought the Commission would be quite free from the jurisdiction of the Court of Chancery.

Amendment, by leave, withdrawn.

VISCOUNT LLANDAFF moved to insert words giving power to "the owners of the school-house," as well as the local authority, to apply to the Commission to make a scheme with respect to the mode in which effect is to be given to the trusts of the schoolhouse in the future.

Amendment moved—

"In page, 7 line 31, after the word 'authority,' to insert the words 'or the owners of the schoolhouse.'"—(*Viscount Llandaff.*)

The Lord Bishop of St. David's.

*THE EARL OF CREWE: I regard the Amendment as consequential on what your Lordships have done in an earlier part of the Bill, and I offer no opposition, but I guard myself from being supposed to be an assenting party to the whole scheme of which the present Amendment is a part.

LORD ASHBOURNE pointed out that this was not a consequential Amendment. It might be that the owners were unable to make an arrangement because the local education authority would not meet them in a way which they thought reasonable. The Amendment would allow the owners to appeal to the Commission for a fair arrangement.

THE EARL OF CREWE: Yes, but it is more or less consequential upon what has been done earlier in the Bill.

On Question, Amendment agreed to.

VISCOUNT LLANDAFF moved the omission of paragraph (a) from sub-section 2. He said that nothing was more emphatically asserted in the House of Commons than that this Commission was going to act upon the principles of the Court of Chancery. That was the answer made whenever the large powers of the Commission were complained of. It was said that the Commission was to be instituted because the Court of Chancery would not have time to deal with the large number of voluntary schools which would have to be dealt with, and so the Government said they would appoint some eminent men to act as a kind of chapel-at-ease to the Court of Chancery, and it was stated distinctly that they would be guided by the principles of the Court of Chancery. Nothing could be more satisfactory than that, but those words were now followed by other provisos which introduced matters quite contrary to the principles of the Court of Chancery. There was the requirement that the owners of a school should give a guarantee for its effective continuance during the period of at least five years. He did not think any noble and learned Lord would assert that that was one of the principles upon which the Court of Chancery would ever dream of acting; they never would impose upon trustees conducting public elementary schools as a going concern a condition that they should give a guarantee for the effective continuance of a school for five years. Such a principle was unknown in the Court of Chancery. What had happened in this Bill was that a broad principle had been laid down, and then it was followed by exceptions which completely destroyed the Bill. Paragraph (b) was still more contrary to the principles of the Court of Chancery. The effect of that sub-section would be to enable the Commissioners to take a school of which the trust was denominational, and which had been built for the very object of carrying on denominational teaching of a certain kind, and make a scheme which they considered would be the best mode of giving effect to the trust. They might take such a school and twist it into a Cowper-Temple school unless the trustees were prepared to give a guarantee to maintain the school for five years. To whom the guarantee was to be given he did not know, neither did he know what shape it was to take, because the question was left vague and at the good pleasure of the Court. How were they going to get the humble subscribers to the right rev. Prelate's school in Bethnal Green, which cost £8,000, subscribed in half-crowns and sovereigns, to give a guarantee that they would continue their subscriptions for five years? He contended that the requirement of such a guarantee was a thing unknown to the Court of Chancery, and he begged to move the omission of paragraph (a).

Amendment moved—

"In page 8, line 4, to leave out from the word 'Court' to the end of paragraph (a) of sub-section (2)."—(*Viscount Llandaff.*)

THE EARL OF CAMPERDOWN, in supporting the Amendment, said the case was much stronger than had been made out by the noble Viscount. The Act laid down that the Commissioners—

> "Shall not treat a proposal to carry on an elementary school as a proper mode of giving effect to the trusts of the school-house unless sufficient guarantee is given for the effective continuance of the school for a period of at least five years."

It did not even say that if the guarantee were given they could carry on the school. Whether they gave the guarantee or not it did not follow that the school would be carried on; at least that was his conclusion after reading paragraph (b).

THE LORD BISHOP OF ST. DAVID'S thought a good deal of significance attached to the word "but." It did not appear to him that paragraph (a) under sub-section (2) was in accordance with the principles of the Court of Chancery. Why should trustees who desired to carry on their trusts not be allowed to do so, even if they were willing—simply because they could not give an undertaking to carry on the school for five years? Sir Henry Craik, who spoke with great authority upon this Bill, had said deliberately that this condition was one which it was impossible for trustees to fulfil. Therefore he hoped the noble Earl would be able to tell them that this was a point to which His Majesty's Government were prepared to give further consideration. A very strong feeling had been raised by it, and he looked upon it as a proposal which violated the very rudiments of liberty. He hoped the noble Earl would be able to assure the Committee on this point, because a great many people considered it most objectionable and inequitable.

THE LORD BISHOP OF WAKEFIELD said there were one or two points which had not been made quite clear to the Committee. He wished to know what kind of schools could be carried on under this guarantee. Would it include a certified efficient school or a State-aided school? He wished to know what was the exact meaning of "a sufficient guarantee." Did it mean that the trustees would be obliged to produce a guarantee to provide a certain amount of funds for five years, or would the assurance of certain persons be considered sufficient without laying down a certain sum of money? It was important they should know these things before voting for this clause, because it seemed a very cruel thing that schools should be abruptly stopped from carrying out their trusts.

*THE MARQUESS OF LANSDOWNE: I want to ask why it is that His Majesty's Government are not content to leave the Commission to be guided by the principles of the Court of Chancery? What they do in effect is that they begin by laying down that the Commission is to follow the principles of the Court of Chancery, and then they proceed to enumerate a number of considerations which the

Commission is to take into account. With regard to those considerations, it occurs to me that most of them are considerations which, without any special guidance, would be present to the minds of the Commission ; and, in the next place, the considerations singled out are of a one-sided character, and all of them adverse to the owners, while no other considerations which conceivably might have operated in another direction find a place in the clause.

*THE EARL OF CREWE : This proposal has evidently caused a considerable degree of criticism on the part of noble Lords opposite and many right rev. Prelates. Perhaps my best plan is to state briefly what the position of a school under these circumstances is. This is a trust school, and if the educational character of the charity is proved, unless it is made the subject of an arrangement, it loses the whole of its State support both from the rates and from grants. Noble Lords may say that that is a scandalous thing to do, and that we have no right to treat schools in this way. That, however, is a semi-political question, and I only mention it to make it clear that that is what legally would occur under the Bill. The right rev. Prelate says that that is a great shame, because the school has been carried on with the aid of grants, but I would remind the right rev. Prelate that it is not a one-sided arrangement. It is at least equally true to say that the grants were allowed by the State on the payment of subscriptions, and that when the subscriptions were not adequate the bargain failed. Suppose the school having lost its rates and grants is penniless and it comes before the Commission in that form. I respect the opinion of the noble Viscount, but I should certainly have thought that if a school in that condition was going before the Court of Chancery for a scheme, which is what it would have to do, a mere statement that it was going to be carried on as a certified efficient school would not have been enough for any Court, and they would have said when a scheme was asked for, "You must show us how you are going to carry on the school as a certified efficient school." A general statement that the owners were going to carry on a school by private funds would certainly not be taken as the groundwork of a scheme which the Court would have to prepare. The Bishop of Wakefield asked me whether such a school could become a State-aided school. The answer to that is "Certainly not," because if the right rev. Prelate looks at the Bill he will see that various processes have to be gone through before schools can become State-aided schools, and it would be impossible for the trustees to foresee those conditions and to prophesy that the school would fulfil the conditions required of a State-aided school. What is meant by this is a certified efficient school. Then it is said that it is a monstrous hardship to require that it should be carried on under a guarantee for five years. Apparently it has not occurred to noble Lords and right rev. Prelates what the obvious reason of this provision is. It seems to be assumed that it is due to some sort of animosity against the religiously conducted schools. What has been in the mind of the Government is a consideration which, unluckily, we have not heard as much of as we ought to have heard during the last few days, owing to the necessities of the case. What was in the mind of the Government is a purely educational consideration. It is obvious that, if people are tempted by a desire to keep these schools going, they may hold a vain hope that they might be able to carry them on as certified efficient schools without rate or grant. That would happen in proportion to the fervour and keenness of those interested in the schools, and the enthusiastic and hopeful would try to persuade themselves and others that the money would be found. Perhaps it would not be found, and the school would necessarily go down. It would then be badly conducted, the children would suffer, and, after all, probably they would have to come for a scheme. That is the simple reason why this provision has been inserted ; and if it is struck out I should consider that the Bill suffered severely. The question of the guarantee will be left to the Commissioners to decide. I think it is evident that they would demand something more than a mere friendly assurance that the money would be found; they would demand some distinct assurance that the subscriptions would be forthcoming for the term of five years.

THE LORD ARCHBISHOP OF CANTERBURY said their Lordships would realise what an extraordinary and difficult thing it would be to give a guarantee for five years in a poor district with a shifting population, and he could not see why anything like a period of five years should be required at all. It did not take five years to make the necessary changes, and this guarantee would be prohibitory in many cases. He protested against the noble Earl's assertion that subscriptions had fallen off. As a matter of fact they had doubled, while the expense of education had increased something like four or five times. It would be an almost intolerable thing to expect that the subscriptions should be maintained in proportion to the constantly rising cost of education.

EARL CAWDOR said that the clause provided that the Commission should abide by the rules of the Court of Chancery, and he could not understand why these one-sided conditions had been inserted. The noble Earl said it was necessary that the guarantee should be for five years, but surely that was a point which the Court of Chancery ought to take into consideration? It appeared to him that the more reasonable course would be to leave the Commission to abide by the rules of the Court of Chancery.

LORD FITZMAURICE thought noble Lords had forgotten the interests of the ratepayers and of the local authority. There must be some security for what the local authority might be called upon to undertake in the future, and it was surely a rational thing that a period should be laid down within which the guarantee was to operate. As to the increase of subscriptions, he did not underrate the efforts made either in the past or now by sincere Churchmen, but he asked how it had come about that since 1902 the whole annual maintenance of Church schools had been thrown upon the county or borough funds? He failed to see under those circumstances how there could be any call upon Church subscribers for the upkeep of those schools. He knew they had to keep up the structural repair of the schools, but they had to do that before.

THE LORD ARCHBISHOP OF CANTERBURY said the argument of the Lord President of the Council was that the whole circumstances had changed by the falling off of the subscriptions. He was speaking of what had happened during the last decade, and he was speaking in general terms. The position had been affected very much since 1902, but it was quite a misapprehension, and a common one outside, to take simply the percentage of the proportion of the cost of education as a whole and then say that the Church subscriptions had fallen off. It was true that the subscriptions were bearing a smaller proportion to the cost of education than they used to, but they were very much larger in amount, and were not smaller than in the decade immediately preceding.

LORD STANLEY OF ALDERLEY pointed out that these schools must be certified efficient schools. He thought it would be better if the clause ran "unless the proprietors give an undertaking to conduct their school as a certified efficient school." The great mass of Church of England schools were held under the trust deeds of the National Society, which provided for the education of the children in the principles of the Church of England. He thought it was only fair that where there was a wish to keep on the school they should have the right to do so, and they would be giving complete effect to the trust if they undertook to maintain their school as a certified efficient school. If the words he suggested were put in the people who undertook to manage a school would do so at their own risk, and the local authority would have a prompt remedy if they did not fulfil their trust, because the school would have to be inspected by the Government Inspector.

VISCOUNT ST. ALDWYN hoped that the Government would consider the suggestion which had been thrown out by the noble Lord opposite. The five years guarantee was a serious matter, but to undertake to maintain the school as a certified efficient school was quite a different thing, and one which, he thought, might fairly be considered by the Government.

*THE EARL OF CREWE: As regards this suggestion, I do not know whether it has occurred to my noble friend that the practical difficulty which we have to meet is not overcome by his suggestion. There would be nothing to prevent a large number of schools declaring their intention to become certified efficient schools and not remaining efficient long, and that, of course, would not carry out the object of the Bill.

LORD ASHBOURNE said that surely the Government could trust their own Commission in this matter not to allow a school to continue unless the conditions were reasonable. They called a Commission into existence and gave it great powers, and then they fettered the Commissioners all through with conditions as to how they should carry out those powers.

On Question, "That paragraph (*a*) of sub-section (2) stand part of the clause," their Lordships divided:—Contents, 30; Not-contents, 91.

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Elgin, L. (*E. Elgin and Kincardine.*)
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Lincoln, L. Bp.
London, L. Bp.
Oxford, L. Bp.
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Stalbridge, L.
Waleran, L.
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House resumed, and to be again in Committee on Monday next.

The Earl of Crewe.

House adjourned at half-past Eleven o'clock, to Monday next, a quarter past Four o'clock.

HOUSE OF COMMONS.

Thursday, 15th November, 1906.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Dover Harbour (Works &c.) Bill [Lords]; As amended, considered; to be read the third time.

PETITIONS.

BETTING AND GAMBLING.

Petitions from St. Pancras, for legislation; to lie upon the Table.

PARLIAMENTARY FRANCHISE.

Petitions for extension to women; from Margate; and Penzance; to lie upon the Table.

RETURNS, REPORTS, ETC.

COAL (EXPORT DUTY).

Returns presented, relative thereto [ordered 5th November; *Mr. Fell*]; to lie upon the Table.

TRADE REPORTS (ANNUAL SERIES).

Copy presented, of Trade Report, Annual Series, No. 3729 [by Command]; to lie upon the Table.

LOCAL GOVERNMENT BOARD INSPECTORS AND AUDITORS.

Return presented, relative thereto [ordered 3rd August; *Mr. Cooper*]; to lie upon the Table, and to be printed. [No. 350.]

LOCAL TAXATION ACCOUNT 1905-6.

Return presented, relative thereto [ordered 24th October; *Mr. Runciman*]; to lie upon the Table, and to be printed. [No. 351.]

INQUIRY INTO CHARITIES (COUNTY OF WILTS).

Return presented, relative thereto [ordered 9th August, 1901; *Mr. Griffith-Boscawen*]; to lie upon the Table.

INQUIRY INTO CHARITIES (COUNTY OF BERKS).

Return presented, relative thereto [ordered 28th March, 1905; *Mr. Griffith-Boscawen*]; to lie upon the Table.

RADIOTELEGRAPHIC CONVENTION

Copy ordered, "of the International Radiotelegraphic Convention, Additional Undertaking, Final Protocol, and Regulations, signed at Berlin on the 3rd day of November, 1906."—(*Mr. Sydney Buxton.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Receipts and Expenditure of Public Abattoirs.

MR. FIELD (Dublin, St. Patrick): To ask the President of the Local Government Board whether he will grant a Return showing the annual receipts and expenditure of the following public abattoirs, established during the ten years ending 1905, together with a statement showing the average number of cattle, sheep, pigs, and calves slaughtered therein, and the charge per head made for same, viz.: Birmingham, Bury, Barrow-in-Furness, Colne, Dartmouth, Goole, Great Harwood, Hexham, Ilkley, Lincoln, Llandudno, Market Harborough, Morpeth, Newton-in-Makerfield, Pwllheli, St. Anns-on-the-Sea.

(*Answered by Mr. John Burns.*) The Return desired could not be made without obtaining separate information from the town or urban district council of each of the places mentioned. I do not gather why these particular places should be selected or what public object the Return would serve. At present it does not seem necessary that it should be given.

Irish Land Purchase—Advance to Mrs. Dickson.

MR. DOLAN (Leitrim, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Land

Commission has yet sanctioned the advance of a sum of money to Mrs. Dickson to enable her to purchase a grazing farm described as a demesne on the Dickson estate, situate at Tawley, near Tulloghan, in the county of Leitrim, the sale of which to Mrs. Dickson was approved by the Land Judge's Court in 1904.

(*Answered by Mr. Bryce.*) I am informed by the Registrar of the Land Judge's Court that the proceedings originally contemplated for the sale of the estate in question, under Section 40 of the Act of 1896, have been abandoned, and, as the result of negotiations conducted by the solicitors having carriage of the sale, agreements for sale to almost all the tenants have now been entered into. Much difficulty has been experienced in arranging for allotments of turbary to the various tenants, with the result that the final amendment of the rental has been considerably delayed. These difficulties have now been practically disposed of, and it is expected that the rental will shortly be completed. When this has been done the Land Commission will be in a position to deal with Mrs Dickson's applications for advances.

Passengers on the Mail Trains from Queenstown.

MR. FIELD : To ask the Postmaster General whether the post office authorities have any objection to passengers travelling by the mail trains from Queenstown ; and whether such restriction, if it exists, will in future be removed.

(*Answered by Mr. Sydney Buxton.*) I sympathise with the wish of passengers at Queenstown to use the trains referred to, and I hope to be able to make an arrangement with the railway company which will enable them to do so.

Telegraph Rates to India, Ceylon, Straits Settlements, and Australia.

SIR H. COTTON (Nottingham, E.) : To ask the Postmaster-General if he will state what are the public and Press rates on telegrams to India, Ceylon, the Straits Settlements, and Australia.

(*Answered by Mr. Sydney Buxton.*) The ordinary and Press rates on telegrams to India, Ceylon, the Straits Settlements, and Australia, by all routes, except viâ Turkey, are as follows :—

	Ordinary.		Press.	
	s.	*d.*	*s.*	*d.*
India - -	2	0	1	0
Ceylon - - -	2	1	1	0½
Straits Settlements -	3	6	1	4
Australia - -	3	0	1	0

The ordinary rates viâ Turkey, are as follows :—

	s.	*d.*
India - - - -	1	10
Ceylon - - - -	1	11
Straits Settlements -	3	3
Australia - - -	2	9

There is no Press rate by this route.

Migration of the Population of Stornoway and Lewis.

MR. WEIR (Ross and Cromarty) : To ask the Secretary for Scotland, seeing that 121 persons have lodged their names with the Stornoway Landward Committee as willing to take advantage of the scheme of migration suggested by the Congested Districts Board, will the Board consider the expediency of migrating some of the people to new holdings at the earliest possible date, having regard to the fact that, although the island of Lewis is the most congested district in the Highlands, the board have spent but little in settling the cottar and fishing population in new holdings.

(*Answered by Mr. Sinclair.*) The Congested Districts Board have received no information as to the persons referred to ; and pending the consideration by Parliament of legislative proposals which are now before it, the Board is not likely to propose any fresh schemes for migration and settlement.

Visits of the Under-Secretary for Scotland to the Western Hebrides.

MR. WEIR : To ask the Secretary for Scotland if he will state for how many days the Scottish Fishery Board cruiser was recently placed at the disposal of the Under-Secretary for Scotland, and the places which he visited during his cruise in the Western Hebrides, accompanied by two young ladies, a member of the Congested Districts Board for Ireland, and two officials of the Irish Department of Agriculture.

(*Answered by Mr. Sinclair.*) The number of days was five and a half. The places visited were Kilmuir, Stornoway, Scalpay, North Uist, Benbecula, South Uist, and Barra.

Sale of the Listowel Estate, North Kerry

MR. FLAVIN (Kerry, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state if the agreements signed by the tenants on the Listowel Estate, North Kerry, have been lodged with the Estates Commissioners, and, if so, when; whether he can state if inspection has taken place on the estate, and, if so, when; and whether he can state when the sale will be sanctioned and the holdings vested in the tenants.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that agreements for purchase in respect of the estate in question have been lodged with them and they have had the holdings inspected. They have, however, deferred their ruling in the matter pending the decision of the Judicial Commissioner as to the legality of the addition of arrears of rent to the purchase money, upon which point a question of law has been stated in another case

Purchase of the Blacker Douglas Estate, North Kerry.

MR. FLAVIN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can say if about 400 acres of untenanted land on the Blacker Douglas Estate, near Asdee, North Kerry, has been offered for sale to the Estates Commissioners for the reinstatement of evicted tenants, and supplying holdings to labourers and cottars in the district; and, if so, what action have the Estates Commissioners taken in the matter.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that Mr. Blacker Douglas has offered for sale to them 843 acres of untenanted land in North Kerry, and they have ordered an inspection of the vendor's estate.

Cavan Land Cases.

MR. VINCENT KENNEDY (Cavan, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state when decisions will be given in the Sub-Commission land cases heard at Cavan on the 2nd June last; when were these cases inspected; and what was the cause of the delay in giving judgments.

(*Answered by Mr. Bryce.*) I am informed by the Land Commission that in the cases referred to judicial rents were fixed by orders dated 1st November, and the parties were then duly notified of the decisions. The delay in delivering the judgments was due to the intervention of the summer vacation, and to the fact that the Sub-Commission had other cases in hand for prior disposal.

Reinstatement of Evicted Tenants on the Morrogh Bernard Estate, County Kerry.

MR. MURPHY (Kerry, E.): To ask the Chief Secretary to the Lord Lieutenant of Ireland what is the cause of the delay in securing the reinstatement of the evicted tenants on the Morrogh Bernard Estate, county Kerry; whether the inspector of the Estates Commissioners visited and reported on the estate, and what was the substance of such Report as to the question of reinstatement; whether the claims of Mr. Morty Buckley have been yet investigated and decided upon by the Commissioners; and whether there is any proposal before the Commissioners to exclude the townland of Faha, or any part of it, from the proposed sale.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that their inspector has visited the former holdings of five evicted tenants, including Mortimer Buckley, on the estate in question. The owner has expressed his willingness to sell to the evicted tenants at the inspector's estimated price in all the cases except one, which is still under consideration. The owner, however, does not wish to reinstate these persons until the whole estate has been inspected and dealt with. The Commissioners have recently made an order that the whole estate shall be inspected without delay and the proceedings expedited. Portions of Faha East, comprising the vendor's demesne, a smithy, and labourers' cottages have been excluded from the estate proposed to be sold.

Salaries and Wages at Woolwich Arsenal.

MR. BARNES (Glasgow, Blackfriars): To ask the Secretary of State for War what is the total amount due per week to the 1,490 officials at present employed at the Royal Arsenal, Woolwich, and the amount due, or paid, per week to the 12,291 workmen employed.

(*Answered by Mr. Secretary Haldane.*) For the week ending 27th October last the amount paid to the 1,490 officials in the Ordnance factories, Royal Arsenal, was £3,833 1s. 4d., and the amount paid to the 12,291 workmen was £20,023 4s. 3d. I may point out that the 1,490 officials include the central office staff, which is for the Ordnance factories at Enfield and Waltham Abbey as well as those at the Royal Arsenal.

Defences of London—Repayments of Loans.

MR. WEDGWOOD (Newcastle-under-Lyme): To ask the Secretary of State for War whether, seeing that £100,172 of the cost of the London defences now abandoned was raised by loan, he will take steps to pay off and cancel the outstanding portion of this debt as no longer as representing a national asset.

(*Answered by Mr. Secretary Haldane.*): The debt is being paid off by means of annuities charged upon Army Votes as provided in the Acts under which the money was borrowed.

Retirement of Colonel Morgan—Profits of Field Force Canteen.

COLONEL HERBERT (Monmouthshire, S.): To ask the Secretary of State for War whether the Colonel Morgan who was recently permitted to retire from the Army Service Corps is the same officer who was entrusted with the management and financial control of the field force canteen in South Africa during the war; whether, in consequence of the ability displayed by him, the transactions of that undertaking resulted in substantial profits; whether the accounts of its trading have now been subjected to audit and made available for public inspection; and whether, seeing that profits realised by such undertakings can only be legitimately applied for the benefit of the soldiers for whom they exist, he will take steps to make known the amount of those profits and the manner of their disposal.

(*Answered by Mr. Secretary Haldane.*) Lieutenant-Colonel Morgan, who has recently retired from the Army Service Corps, was charged with the management of the Natal Field Force Canteens from their inception. When all the canteens in South Africa were merged into the field force canteens, Lieutenant-Colonel Morgan undertook the management of them until August 1901. He displayed conspicuous ability in the discharge of his duties as manager. In October, 1902, the assets and liabilities of the field force canteens were taken over by the South African Garrison Institutes. These institutes are administered locally by the General Officer Commanding-in-Chief in South Africa, and audited by civil accountants appointed by him. In April, 1904, the General Officer Commanding-in-Chief reported that the balance credit of the canteens amounted to £103,528, adding that "this credit is wholly in stock and represents its nominal value, the realisation of which is very doubtful." Exclusive of this balance, £123,569 have been expended on behalf of non-commissioned officers and men, and £23,000 on behalf of officers' clubs and recreation grounds. As regards this latter sum the General Officer Commanding, having taken expert advice, considers that at least one-third of the profit was made by catering for officers.

Pay of Army Officers.

COLONEL HERBERT: To ask the Secretary of State for War whether the evidence given before a Committee, presided over by Major-General Sir Coleridge Grove, showed a consensus of military opinion opposed to the regulations, now embodied in the Royal Warrant for pay and promotion, as militating against the adoption of the Army as a profession by men of ability and ambition; whether that Committee recommended that promotion to the rank of major-general be by selection to fill vacancies on a fixed establishment of general officers, and not, as at present, by selection to fill an appointment carrying with it promotion to the rank of major-general; whether he will lay upon the Table the evidence taken before that Committee and its Report; and whether he proposes to introduce changes in the existing Royal Warrant in accordance with the recommendations contained in that Report.

(*Answered by Mr. Secretary Haldane.*) The evidence given before this Committee showed a preponderance of military opinion in favour of abandoning the present system of promotion to the ranks of colonel and major-general. As regards the second part of the Question, the Answer is in the affirmative. I do not propose to lay the Report and evidence of this Committee upon the Table. It is my intention to adopt the recommendations of the Committee, and it is expected that a Royal Warrant to give effect to them will be published very soon.

Army Meat Contracts.

MR. COURTHOPE (Sussex, Rye): To ask the Secretary of State for War whether he will reconsider his decision to supply the Army with home-killed meat instead of home-fed meat.

(*Answered by Mr. Secretary Haldane.*) No, Sir, as I have informed the House on many occasions I do not propose to alter the present arrangement.

Army Contracts and British Productions.

MR. COURTHOPE: To ask the Secretary of State for War whether contractors, who tender for the supply of any articles for the Army, are in any cases limited to articles of British manufacture or production; and, if so, on what grounds the agricultural industry is thereby placed in a less favourable position than other industries.

(*Answered by Mr. Secretary Haldane.*) Restrictions of a preferential or protective character have been or are being removed from the War Department contracts in accordance with the Free Trade policy of the Government, and no discrimination has been made as regards agricultural industries.

Work at Royal Arsenals.

MR. BARNES: To ask the Secretary of State for War is he can undertake to allocate the work given to the Royal Arsenal so that the fluctuations shall be less acute in future than they have been in the past.

(*Answered by Mr. Secretary Haldane.*) Every endeavour will be made so to allocate the work as to avoid fluctuations in numbers employed in the Ordnance Factories, Royal Arsenal.

Incorporation of Southampton.

SIR ROBERT HOBART (Hampshire, New Forest): To ask the President of the Local Government Board whether his attention has been called to the fact that the unanimous resolution of the Southampton incorporation in favour of the dissolution of the incorporation and the formation of a new union comprising the parishes of Portswood and Shirley was passed on the 18th October, 1906, viz., after the letter of the Local Government Board of the 11th October had been received, stating that one of the inspectors of the Local Government Board had been instructed to hold a local inquiry on the subject; and whether he will say what steps he proposes to take in the matter.

(*Answered by Mr. John Burns.*) I am aware of the fact about referred to. As stated in reply to the previous Question the Local Government Board propose that a local inquiry should be held as to whether an alteration of area should be made in this case. The Inquiry has been fixed for the 10th December.

Chaplain for Hawarden Union Workhouse.

MR. TALBOT (Oxford University): To ask the President of the Local Government Board whether his attention has been called to the refusal or neglect of the board of guardians of Hawarden Union to appoint a chaplain for their workhouse; whether such neglect is not a breach of the Poor Law Orders; and whether he proposes to take measures to provide the aged and infirm persons maintained in that workhouse with the ministrations of religion.

(*Answered by Mr. John Burns.*) My attention has been called to this subject, and I am in communication with the guardians with respect of it.

Temporary Accountants at the Admiralty.

MR. CLELAND (Glasgow, Bridgeton): To ask the Secretary of the Treasury how many temporary accountants have been appointed to the Department of the Accountant-General of the Admiralty since 31st March last; by whom were they nominated; what is the average cost per clerk per annum; and what would be the average cost if they were replaced by established assistant clerks.

(*Answered by Mr. Edmund Robertson.*) Twenty-six hired accountant clerks have been appointed since the 31st March last, eleven of them being vice second division clerks. Their average (commencing) rate of pay is 4s. 3d. a day nearly, or £66 10s. a year. The commencing salary of an assistant clerk is £55 per annum, but in their case there is the prospective liability for pension. The new entrants were selected by the Accountant-General, nine having previous service as boy clerk, nine being transferred from the works or store departments of the Admiralty, and eight being entered from outside on recommendations from their previous employers, etc.

Land Tax.

MR. SEARS (Cheltenham): To ask the Secretary to the Treasury if he will give a statement of the agency, local and Government, engaged in the assessment and collection of land tax, the amount received from this source for the last complete year, the cost of collection and the amount redeemed during the last twenty years; will he state the duties of Land Tax Commissioners; whether they employ clerks; if so, what their duties are and the money paid to them for their services; the object served by a Land Registry in Somerset House; and whether there is a similar registry for quit-rent in Ireland.

(*Answered by Mr. McKenna.*) The amount received from the land tax during the year 1905–6 was £722,960, and I am informed that the amount redeemed during the past twenty years was £91,817. It is not possible, however, to distinguish the cost of collection of this part of the revenue from the general cost of collecting the proceeds of the income-tax and the inhabited house duty. The remuneration paid to the clerks to the Commissioners of Land Tax varies from a few shillings to about £100 a year. Up till 1892 these clerks were paid poundage, but the first section of the Taxes (Regulation of Remuneration) Act, 1891, fixed their salaries at a sum not less than the amount of poundage received by them in each case during the year beginning 6th April, 1890. There is no land registry at Somerset House, nor in Dublin, but there is a branch in the Inland Revenue Department which deals with redemption and other matters relating to land tax, and there is a quit-rent office in Dublin under the direction of the Commissioners of Woods, where rentals are kept containing particulars of the quit-rents payable to the Crown for lands in Ireland. For further information perhaps I may refer the hon. Member to the twenty-eighth Annual Report of the Board of Inland Revenue. (Cd. 4,474 of 1885.)

Prison Officers' Grievances.

MR. E. H. LAMB (Rochester: To ask the Secretary of State for the Home Department whether he can now make any statement with reference to the petition of the prison officers in His Majesty's local prisons.

(*Answered by Mr. Secretary Gladstone.*) I am glad to be in a position to announce the grant of considerable benefits to the local prison staff. After consultation with the Prison Commissioners, I found it impossible to accept the view that the duties of the local prison officers were as onerous and dangerous as those of the convict prison staff, or entitled them to the same remuneration; but I was able to recommend considerable improvements in their pay, which the Treasury have now sanctioned. The maximum pay of assistant warders, warders, and principal warders has been advanced to £70, £80, and £95 respectively; and the annual rates of increment of the warders, principal warders, and third class chief warders are increased from £1 to £1 10s., £2, and £3 respectively. Further, the lodging allowance in lieu of official quarters will no longer be limited to 5s. a week, but will vary according to the requirements of different localities up to a maximum of 6s. 6d. There will also be a considerable improvement in the pay of the engineers. I trust that these concessions, which will of course involve an increased charge in the Prison Vote, and will take effect from the beginning of the next financial year, will give satisfaction to a hard-working class of officers whose duties have of late years become heavier and more exacting.

Vaccination Exemption Certificates, Southend Case.

MR. A. W. BLACK (Bedfordshire, Biggleswade): To ask the Secretary of State for the Home Department on what grounds the Southend-on-Sea police magistrates refused Mr. T. Chambers, of 19, Chase Road, Southend, a certificate of exemption, after he had stated that he conscientiously believed vaccination would be prejudicial to the health of his child.

(*Answered by Mr. Secretary Gladstone.*) It appears from a newspaper cutting which I have received from Mr. Chambers that he declined to give any reasons for his belief and maintained that a certificate ought to be granted on an applicant's declaring that he had a conscientious objection. The magistrates, I presume, were not satisfied as to the conscientious nature of his objection. The matter is one placed by statute within their discretion, and, as I said in answer to a Question yesterday, the only remedy for the anomalies which at present occur lies in an alteration of the law.

Industrial and Reformatory Schools.

MR. BELLOC (Salford, S.): To ask the Secretary of State for the Home Department whether he proposes to carry into effect the recommendation made by the Inter-departmental Committee in favour of increased grants for reformatory and industrial schools.

(*Answered by Mr. Secretary Gladstone.*) The proposals of the Committee are under my consideration. Treasury sanction would, of course, be necessary to give effect to them.

Motor Buses at Petersham.

MR. CAVE (Surrey, Kingston): To ask the Secretary of State for the Home Department whether his attention has been called to complaints made by the town council and inhabitants of the borough of Richmond (Surrey) of the annoyance and damage to property caused by the constant passage of heavy motor omnibuses along the Petersham Road and other roads in the borough on Sundays; and whether he proposes to take any steps with a view to removing or mitigating this public nuisance.

(*Answered by Mr. Secretary Gladstone.*) I have received a representation from the town council of Richmond, but I fear that I have no power to comply with their application. I have no authority under any Act of Parliament to limit the number of omnibuses that pass down any street in pursuance of their ordinary trade. As the hon. Member is aware, the police are doing their utmost to deal with those motor omnibuses which cause a nuisance by noise or smoke.

Post Office Engineers at Manchester.

MR. BYLES (Salford, N.): To ask the Postmaster-General if he is aware that certain un-established officers, employed in the engineering department at Manchester, with service varying from two to sixteen years, have been requested to sign a form known as Postmaster No. 10, by which they relinquish all claims to appointment, promotion, compensation, or pension; and will he issue an instruction that no person already in the service be asked to sign this form.

(*Answered by Mr. Sydney Buxton.*) I am making inquiry as to the circumstances, and will inform the hon. Member of the result.

Primary Education in Great Britain and Ireland—Cost per Pupil.

MR. MURPHY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if the Commissioners of National Education in Ireland can state the entire average cost per pupil per year in the primary schools of England, Scotland, and Ireland respectively during the last financial year.

(*Answered by Mr. Bryce.*) The Commissioners of National Education inform me that they cannot at present give the required figures for the financial year ending 31st March, 1906, but for the calendar year 1905 the entire average cost, defrayed from State and local sources, of each pupil in average attendance was about £3 3s. 9d. The Commissioners have no information as to the cost in England and Scotland.

Profits of Field Force Canteen during South African War.

COLONEL LOCKWOOD (Essex, Epping): To ask the Secretary of State for War whether he can state what profits, if any, were made by the field force canteen in South Africa during the late war, and the use to which the funds have been put.

(*Answered by Mr Secretary Haldane.*) I would refer the hon. and gallant Member to the Answer given to-day on this subject to the Member for South Monmouthshire.†

Army Accounts—Double Payment of Mr. Noreen for Cattle.

MR. ALDEN (Middlesex, Tottenham): To ask the Secretary of State for War whether he is aware that the Committee on Public Accounts has reported that Mr. J. Noreen had claimed and been paid £4,000 for 4,009 cattle, 1,721 of these having already been paid for; that the Army Council had decided not to proceed against Mr. Noreen, on the ground that he had practically no assets; and whether, taking into account all the circumstances of the case, he can see his way to take action against Mr. Noreen.

(*Answered by Mr. Secretary Haldane.*) My attention has been drawn to the paragraph in the Report of the Public Accounts Committee alluded to by my hon. friend. The grounds on which the Army Council based their view are set forth in the correspondence printed upon pages 183 to 185 of the Appropriation Account for 1904–5, but, in view of the remarks of the Public Accounts Committee, I shall of course give further consideration to the case.

Saving Resulting from the Abolition of Seven Days Extra Training of Volunteer Field Army Brigades.

SIR SAMUEL SCOTT (Marylebone, W.): To ask the Secretary of State for War what economy will be effected by the abolition of the extra seven days training in camp which has been hitherto undergone by the twenty-seven battalions of the late Volunteer Field Army Brigades.

(*Answered by Mr. Secretary Haldane.*) The estimated saving which will result from putting the Field Army battalions on the same basis as the rest of the Volunteer infantry is about £58,000 per annum. The decision has not been made out of any desire to save money at the expense of the Volunteers, but because it is not considered desirable to discriminate any longer between Field Army Brigades and other Volunteer Brigades.

QUESTIONS IN THE HOUSE.

Motor Boats in the Solent.

MR. BARNES (Glasgow, Blackfriars): I beg to ask the Secretary to the Admiralty if a Yarrow-Napier motor boat was recently sent out to the Solent without competent engineers on board, and, as a consequence, that a serious mishap took place; and, if so, will steps be taken to prevent similar mishaps arising from similar causes in the future.

THE SECRETARY TO THE ADMIRALTY (Mr. EDMUND ROBERTSON, Dundee): It is not a fact that a serious mishap has occurred on the Yarrow-Napier motor boat. As in the case of submarines, no engineer officer was on board, but a chief engine-room artificer was included in the crew. All the ratings in the crew who handle the machinery have been specially trained by a representative of Messrs. Yarrow & Co.

Torpedo Construction at Woolwich.

MR. CROOKS (Woolwich): I beg to ask the Secretary to the Admiralty whether his attention has been called to the action of the naval ordnance inspector at the Royal Arsenal, Woolwich, in allowing the contractors to take sketches of sections of the torpedoes, which are the secret and property of the nation, while the torpedo shop is idle; will he arrange for the work to be completed in the Arsenal without the intervention of the contractors and where the work is much needed.

MR. EDMUND ROBERTSON: Orders were placed this financial year with the Ordnance Factory and the trade, for torpedoes of a new pattern to an Admiralty specification, and in order to ensure uniformity of manufacture, which is considered essential, it was necessary that the contractors should be allowed to visit the Government factory to obtain information as to certain details. The usual procedure as to the allocation of orders between the Arsenal and the trade was followed in this case.

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† See Col. 80.

MR. CROOKS: Will the right hon. Gentleman tell us exactly what the "usual procedure" is?

MR. EDMUND ROBERTSON asked for notice of that Question.

*MR. CHIOZZA MONEY: (Paddington, N.): May I ask what guarantee is exacted from these private contractors as to secrecy?

MR. EDMUND ROBERTSON: The same guarantee as we have in all cases from private manufacturers.

*MR. CHIOZZA MONEY: Is it not obvious that it would be better to confine these secrets to Government departments?

[No Answer was returned.]

*MR. CHIOZZA MONEY: May I ask for an Answer to my Question.

MR. EDMUND ROBERTSON: It is an argumentative Question.

*MR. CHIOZZA MONEY: Then I will put it down on the Paper.

MR. KEIR HARDIE (Merthyr Tydvil): Is no action taken to prevent contractors' confiding these designs to foreign Governments?

MR. EDMUND ROBERTSON: I believe so.

The Disturbances at Portsmouth.

MR. BELLAIRS (Lynn Regis): I beg to ask the Secretary to the Admiralty whether any casualties were received into Haslar Hospital as the result of the rioting at Portsmouth on November 4th and 5th.

MR. EDMUND ROBERTSON: I am informed that no casualties were received into Haslar Hospital as the result of rioting at Portsmouth on November 4th and 5th.

Evening Quarters in the Royal Navy.

*MR. BELLAIRS: I beg to ask the Secretary to the Admiralty whether the system of evening quarters for muster and inspection of men every Sunday is carried out in the Royal Naval Barracks at Portsmouth; whether such inspections are carried out by the Royal Marines; and whether the Board will consider the abolition of all unnecessary duties on Sundays throughout the Navy.

MR. EDMUND ROBERTSON: Evening quarters are carried out at all naval establishments, and the Admiralty have no intention of making any alteration in this practice. The Royal Marines do not follow the routine of naval establishments. Unnecessary Sunday duties are not performed.

*MR. BELLAIRS: Is the right hon. Gentleman aware that "evening quarters" are merely a picturesque relic of the past?

Administrations of Eastern Bengal.

DR. RUTHERFORD (Middlesex, Brentford): I beg to ask the Secretary of State for India whether he has noticed the paragraph in the last Resolution of the Lieutenant-Governor of Eastern Bengal on policy administration, stating that His Honour hopes that, for the next few years, as large a proportion as possible of Mohammedans will be recruited; and whether he will caution the Government of Eastern Bengal in regard to a policy which is liable to misinterpretation and mischief at the present time.

*THE UNDER-SECRETARY OF STATE FOR INDIA (Mr. JOHN ELLIS, Nottinghamshire, Rushcliffe): The Secretary of State's attention has been called to the paragraph referred to in the Resolution of the Lieutenant-Governor of Eastern Bengal and Assam, dated the 5th October, 1906. In view of the explanation which is given in the same paragraph, viz., that in a province in which two-thirds of the population is Mahomedan less than one-fifth of the recruits profess that religion, the policy of the Government of Eastern Bengal does not appear to him to be open to objection.

The Partition of Bengal.

MR. O'GRADY (Leeds, E.): I beg to ask the Secretary of State for India whether his attention has been called to a letter of Mr. Abdul Rasul, a prominent Mahomedan, read at a meeting in Calcutta on 15th October, in which the partition of Bengal was described as a curse to the entire Mahomedan population of Bengal, also asserting that the Mahomedans forming the greatest portion of the population of Bengal will have to pay the largest amount of taxes to keep up the dignity of an alien bureaucracy; whether his attention has been called to the fact that at Sirajganj a notice was served upon a well-known Mahomedan preacher to show cause why he should not be bound down from appealing to his co-religionists not to take part in the meetings organised to rejoice at the act of partition; and, if so, whether the Secretary of State, on behalf of His Majesty's Government, is prepared to give consideration to the opinions expressed by adherents to both the Hindu and Mahomedan religions regarding the partition.

*MR. REES (Montgomery Boroughs): Is the right hon. Gentleman aware that mass meetings of Mahomedans, Hindoos and native Christians have been held in favour of the partition, and that the masses of the people are totally opposed to this agitation?

MR. O'GRADY: Is it in order for an hon. Member to try and put a reply in a Minister's mouth?

*MR. JOHN ELLIS: The Secretary of State is not acquainted with cases to which my honourable friend refers; but he need not say that he is, always has been, and could not be other than, ready to give consideration equally to the opinions expressed by Hindoos and by Mahomedans.

Slavery in Zanzibar.

*SIR CHARLES DILKE (Gloucestershire, Forest of Dean): I beg to ask the Under-Secretary of State for the Colonies whether he can now announce any decision as to the abolition of the legal *status* of slavery in the Zanzibar coast strip in accordance with the declared policy of the Secretary of State.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): Lord Elgin is of opinion that the time has come to abolish the legal *status* of slavery in the Zanzibar coast strip as well as on the islands, and is now in communication with the Secretary of State for Foreign Affairs and with the local authorities upon the question of the most convenient measures to be adopted, both in respect of that policy and its consequences. Time will be required for the making of all necessary arrangements, but I should hope to be able before long to make definite and detailed statements to the House.

Gambling in the Federated Malay States.

MR. O'GRADY: I beg to ask the Under-Secretary of State for the Colonies whether he is aware that a memorial has been presented to Sir John Anderson, K.C M.G., His Majesty's High Commissioner of the Federated Malay States, by Chinese employers, physicians, teachers, merchants, tin miners, planters, traders, and shopkeepers resident in the Straits Settlement and Federated Malay States, praying that His Excellency may abrogate the licensed gambling now existing in the States under his jurisdiction, and that the only action taken by His Excellency was to shorten the hours during which licensed gambling is carried on; and whether, seeing that the effect of such action has been to increase the stakes, leaving the evil as bad as ever, and that it is only for the Chinese in the mining districts that licensed gambling is provided, the Malays and Tamils in the agricultural districts being prohibited by law from gambling, he will say what steps, if any, the Colonial Office intend taking to put an end to this evil sanctioned by law.

MR. CHURCHILL: I can only refer the hon. Member to the Answers which I have given within the last few days to several similar Questions[†] and to the Answer given to-day to the hon. Member for Sunderland. The Secretary of State is fully alive to the objections to this system, but he is satisfied that for the reasons which I have stated, it would be inadvisable to attempt its immediate total abolition.

[†] See (4) *Debates*, clxiv., 114–1053.

*MR. O'GRADY: Why was this concession granted to the Chinese?

MR. CHURCHILL: I suppose because they applied for it.

MR. SUMMERBELL (Sunderland): I beg to ask the Under-Secretary of State for the Colonies if representations have been made to him in regard to the licensed gambling carried on in the Straits Settlements and the Federated Malay States, and the great evil arising therefrom; and, if so, what action, if any, he intends to take with a view to its abolition.

MR. CHURCHILL: The system of licensed gaming does not exist in the Straits Settlements. As regards the Federated Malay States I would refer the hon. Member to the Answer given on 12th November to a similar Question asked by the hon. Member for Orkney and Shetland, † and I may add that a Bill for the suppression of public gaming within proclaimed areas is now before the Councils of the various States.

MR. O'GRADY: Is this a result of the compound system in this quarter of the world?

MR. CHURCHILL: I do not think that has anything to do with it.

Opium for the Chinese in South Africa.

MR. SMEATON (Stirlingshire): I beg to ask the Under-Secretary of State for the Colonies whether, seeing that two pounds of opium allowed to each Chinese coolie under the recent Transvaal Ordinance is enormously in excess of the maximum consumption and leaves a large surplus in the possession of each coolie, and seeing that elsewhere in the British dominions, as, for instance, in Burma, the Chinese are known to drive a flourishing trade by selling their surplus supplies of the drug to young people whom they have successfully tempted into the opium habit with disastrous results, and in view of the danger of their introducing the opium curse among the Kaffirs, the British Government will, in the best interests of the Kaffir population, disallow the Ordinance, and prohibit the importation of opium altogether except for medicinal purposes.

MR. CHURCHILL: I would point out that it is not correct to say that two pounds of opium are allowed to each Chinese coolie under the recent Ordinance. The coolie is not allowed any opium at all under the Ordinance unless he can obtain a permit signed by an Inspector of the Foreign Labour Department on the prescription of the medical officer of the mining company. The amount of two pounds is a maximum, but this limit is, I understand, far in excess of the limit of private possession in India, and the Secretary of State is communicating with Lord Selborne with a view to ascertaining whether means cannot be adopted for restricting the amount to the Indian level.

MR. SMEATON: Are the Government aware that the opium habit not only stimulates unnatural vice, but also largely demoralises both the will and the power of the victim, as has been proved in other parts of the British Empire, and——

*MR. SPEAKER: Order! order! The hon. Member is making a speech.

The New Hebrides.

SIR GILBERT PARKER: I beg to ask the Prime Minister whether members of the Australian bar will be eligible for the legal appointments under the Anglo-French Agreement with the New Hebrides; and, if so, what opportunity will be afforded to present applications for such appointments.

MR. CHURCHILL: Members of the Australian Bar will be eligible for such appointments, and any applications received from Australia will be duly considered by the Secretary of State with those of other suitable candidates.

Explosives in Egyptian Ports.

DR. RUTHERFORD: I beg to ask the Secretary of State for Foreign Affairs whether any regulations are in force in Egypt as to the landing at Egyptian ports, storage and transport by rail, river, or canal, of explosives; and, if so, whether he will lay a copy of such regulations upon the Table of the House.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir EDWARD

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† See (4) *Debates*, clxiv., 114, 1053.

GREY, Northumberland, Berwick): I will ask for the information desired by the hon. Member.

Explosives in the Suez Canal.

DR. RUTHERFORD: I beg to ask the Secretary of State for Foreign Affairs whether he is aware that up to the time of the foundering in the Suez Canal of the s.s. "Chatham," laden with dynamite, no regulations whatever existed for ensuring precautions in cases of ships passing through the canal carrying explosives; whether any regulations with that object have since been put in force; and, if so, whether he will lay upon the Table of the House a copy of such regulations.

SIR EDWARD GREY: I shall be obliged if the hon. Member will postpone his Question for a week. I am making inquiry of the Board of Trade.

Labour Recruiting for the Robinson Mines.

MR. MACKARNESS (Berkshire, Newbury): I beg to ask the Secretary of State for Foreign Affairs whether in July last the Portuguese Government gave assurances to His Majesty's Government that the Governor-General of Mozambique had been instructed to extend to the recruiting body of the Robinson group of mines equal facilities for recruiting natives in Portuguese territory in South Africa with those engaged by the Witwatersrand Native Labour Association; and, if so, what is the reason why, up to the present moment, no such facilities have been granted by the Governor-General: and whether he is aware that, relying upon the promise of the Portuguese Government, the Robinson group surrendered their right to 3,000 outstanding licences for Chinese labourers; and when he expects that the instructions given to the Governor-General will be carried out.

SIR EDWARD GREY: An application for a licence to recruit natives for Mr. Holmes as representing the Robinson group was made to the Portuguese Government in July last and complied with. They were asked last month to extend to the Robinson group through Mr. Holmes, as their representative, the same facilities as are given to the Witwatersrand Native Labour Association, by giving him the right of applying for recruiters' licences for certain approved individuals. So far the Portuguese Government have not seen their way to complying with this request, as they consider it a breach of an arrangement made with the Witwatersrand Association, and I am again pressing the subject.

MR. MACKARNESS asked whether the right hon. Gentleman could say when the Portuguese Government were likely to carry out the pledge.

SIR EDWARD GREY: All I can say is that I am again pressing the Portuguese Government on the subject with a view of getting their consent. I cannot say how soon I am likely to be successful.

Egyptian Breweries and Distilleries.

MR. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Under-Secretary of State for Foreign Affairs whether in Egypt it is necessary that licences should be obtained for the opening and working of breweries and distilleries, and, if so, for what period such are granted; whether arrangements are in force for the inspection and supervision of such breweries and distilleries, and for testing the quality and strength of the liquors produced; whether there is any law as to adulteration; and, if so, whether there is any objection to a copy of the same being produced for the information of the House, together with a statement as to the number of prosecutions, convictions, and repeated convictions of offending brewers and distillers under such law, showing their nationalities and the penalties inflicted in each case during the years between 1900 and 1906.

SIR EDWARD GREY: I will endeavour to obtain the information desired by the hon. Member.

The Congo.

MR. T. L. CORBETT (Down, N.): I beg to ask the Secretary of State for Foreign Affairs whether His Majesty's Government has approached the powers responsible for the creation of the Congo State with a view to a conference as to the alleged barbarities inflicted on the natives.

SIR EDWARD GREY: No such step has been taken since 8th August, 1903, when, as the hon. Member is no doubt aware, a circular on the subject was addressed by His Majesty's Government to the Powers Signatories of the Berlin Act. The present attitude of His Majesty's Government was defined in the debate in this House in July,† and by Lord Ripon in a speech last week.

MR. T. L. CORBETT: Will the Government make an attempt to bring other Powers into line in condemnation of these atrocities?

SIR EDWARD GREY: If the hon. Member will read the speeches to which I have referred, he will see exactly how the matter stands.

Retail Liquor Trade in Egypt.

MR. J. M. ROBERTSON: I beg to ask the Secretary of State for Foreign Affairs whether he will procure for the information of the House a copy of the licensing law relating to the retail sale of alcoholic liquors in Egypt, together with a statement as to any modifications that may have been made therein, as to the present number of licensed and unlicensed retailers, and details of prosecutions and convictions of licensed and unlicensed retailers, and of persons charged with drunkenness in connection with those establishments, in each of the years between 1900 and 1906; and whether the law, if any, relating to the adulteration of alcoholic liquors in Egypt applies to, and is enforced against, retailers as well as manufacturers.

SIR EDWARD GREY: I will ask for as much of the information desired by the hon. Member as is obtainable.

The Denshawi Executions.

MR. DILLON (Mayo, E.): I beg to ask the Secretary of State for Foreign Affairs whether any of the men sentenced to death at Denshawi were permitted to see their relations between their trial and the execution of the sentences, and, if not, why not; whether the son of Hassan Mahfooz, a bugler in the Egyptian Army, was standing, in his uniform, close to the place of execution, having come specially from Cairo in hopes of a last word with his father; and whether he begged Captain Machell for permission to speak to his father and was refused.

SIR EDWARD GREY: I have no information on these points.

MR. DILLON: I beg to ask the Secretary of State for Foreign Affairs whether his attention has been drawn to the fact that the bodies of those executed at Denshawi were not handed over to their relations, as is the custom in Egypt; whether the bodies of the men executed were buried in a manner abhorrent to the customs and precepts of their religion; and, if so, whether such proceedings are approved of by the British Government.

SIR EDWARD GREY: The only information on this subject in the possession of His Majesty's Government is contained in Egypt, No. 3 (1906), page 19, where it is stated that the bodies of those executed were escorted to the cemetery, where tombs had previously been prepared by their families.

MR. DILLON: The complaint is that they were buried against the religious customs of their country.

Costs of the Denshawi Trial.

MR. DILLON: I beg to ask the Secretary of State for Foreign Affairs whether the Ministry of Finance in Egypt opened a special credit of £12,000 to meet the expenses of the special court and the pay of the employees who were engaged in the Denshawi case; and, if so, whether a detailed and audited account of the expenditure of this sum will be communicated to the House.

SIR EDWARD GREY: I have no information on the subject. The matter is one which solely concerns the Government of Egypt.

Conduct of the Denshawi Trial.

MR. DILLON: I beg to ask the Secretary of State for Foreign Affairs whether his attention has been drawn to the statement that the translation of the documents connected with the Denshawi case was conducted under the supervision of Judge Bond; and, if this statement be correct, whether he will see that a translation conducted under the supervision of some independent and impartial person, and not under the supervision of one of the members of the special tribunal, whose action is to be considered by the House, is laid before Parliament.

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† See (4) *Debates* clx., 318 *et seq.*

SIR EDWARD GREY: I do not know whether the translation was supervised by Judge Bond. If it was so, I should regard it as a guarantee of accuracy, because I have every confidence in his independence and impartiality. But in any case, I see no reason to doubt the accuracy of the translation.

Macedonia.

MR. ASHLEY (Lancashire, Blackpool): I beg to ask the Secretary of State for Foreign Affairs whether His Majesty's Government have stipulated for the introduction of further reforms in Macedonia as a condition to their consent to any increase in the Turkish Customs duties; whether they have stipulated that such reforms should be put into execution before agreeing to the increase; and, if so, whether such reforms have actually been put into operation.

SIR EDWARD GREY: The Answer to the first two of the hon. Member's Questions is in the affirmative; the Answer to the third Question is in the negative, the increase not yet having been decided upon.

MR LYNCH (Yorkshire, W.R., Ripon) asked whether the right hon. Gentleman was aware that the official mouth-piece of the Government, speaking at the Guildhall, said it had been stipulated, as a condition of this increase, that these reforms should be executed.

SIR EDWARD GREY: If the increase is agreed to, it will be on the understanding that certain reforms are carried out. That will be the condition of our consent to the increase.

MR. ASHLEY asked whether they were to understand that this increase was to be allocated solely to Macedonian reforms.

SIR EDWARD GREY: It is to be allocated to the expenses of the Egyptian Budget with the exception of 25 per cent., I think, which, under arrangement, goes to the extinction of debt.

MR. LYNCH thought the right hon. Gentleman had not comprehended his Question. Was it the fact, as stated at the Guildhall, that these reforms should be enacted and satisfactorily begun before consent to the increase was given?

*MR. SPEAKER: The hon Member ought to give notice of that Question.

Tangier.

MR. ASHLEY: I beg to ask the Secretary of State for Foreign Affairs what steps, if any, are being taken to safeguard the lives and property of British subjects in Tangier and neighbourhood, in view of the continual unrest existing amongst the native population of that district.

SIR EDWARD GREY: I am aware of the unrest amongst the native population, but I do not consider that any special measures are required by His Majesty's Government. The question is occupying the attention of the French and Spanish Governments, to whom it appertains to take such measures at Tangier as circumstances may require.

MR. ASHLEY: Have the Powers made any progress with the formation of the new police force as authorised by the Algeciras Act?

*MR. SPEAKER: Notice should be given of that.

The Egyptian Sudan.

DR. RUTHERFORD: I beg to ask the Secretary of State for Foreign Affairs whether his attention has been called to the fact that on 2nd October last an order was issued by the Information Bureau of the Sudan War Office prohibiting the admission of the Cairo newspaper *Al Minbar* into the Sudan; and whether the issuing of such an order, emanating from the military authorities, implies that the Egyptian Sudan, although reconquered in 1899, is still under martial law.

SIR EDWARD GREY: I have no information on the subject, but will make inquiries.

Outrages on British Soldiers in Egypt.

DR. RUTHERFORD: I beg to ask the Secretary of State for Foreign Affairs, with reference to Lord Cromer's remarks on the subject in his memorandum on the Denshawi incident, dated 12th July, 1906 (Egypt, No. 3, page 24), whether he will inform the House as to the steps, if any, which have been taken by the Egyptian Government with a view to amending, in the direction indicated by that memorandum, the Khedivial decree of 25th February, 1895, which establishes a special tribunal for the punishment of offences against soldiers or officers of the British Army; whether the reforms in question will include such alteration of Article 6 of the decree as will exclude from the scope of the special tribunal trial of offences committed by natives against officers or men of the Army of occupation when the latter are not engaged in the execution of their duty; and, in the event of this alteration not having already been made or contemplated, whether he will point out its desirability to Lord Cromer.

SIR EDWARD GREY: Lord Cromer has been examining the question since his return to Egypt, and it is still under consideration. Until a definite decision is arrived at I can make no statement on the subject, but the point raised by the hon. Member will be borne in mind.

Consular Work at Constantinople.

MR. BOTTOMLEY (Hackney, S.): I beg to ask the Secretary of State for Foreign Affairs whether consular work at Constantinople has increased so largely as to necessitate the presence of a consul-general, a consul, two vice-consuls, and a bevy of clerks; and, if so, what are the reasons for such increase.

SIR EDWARD GREY: There has been no increase on the staff of His Majesty's Consulate-General at Constantinople during the last ten years.

Work of the Constantinople Consular Committee.

MR. BOTTOMLEY: I beg to ask the Secretary of State for Foreign Affairs whether he will issue a Return showing the number of legal cases tried by the two Judges of a Consular Court at Constantinople during the last two years; and whether his official Reports show that two Judges are required.

SIR EDWARD GREY: There were, until 1893, two Judges at Constantinople, and one in Egypt. Until 1897 there was only one Judge at Constantinople. The Judgeship in Egypt was then abolished, and two Judges were appointed to Constantinople as their headquarters, one or the other going on circuit regularly to Egypt, and to other places in the Ottoman Dominions from time to time. I see no advantage in calling for the Return asked for by the hon. Member. The necessity for having two Judges does not depend only on the amount of work to be done. The objection to having no Judge at Constantinople at certain times is obvious.

Embassy Chapel at Constantinople.

MR. BOTTOMLEY: I beg to ask the Secretary of State for Foreign Affairs whether the memorial church, erected at Constantinople by public subscription, to commemorate the conclusion of peace in 1856, is sufficient to accommodate the Anglican population in Constantinople; and, if so, whether he will consider the advisability of closing the embassy chapel and of relieving the taxpayers from the attendant expenses, especially as the ambassador and several members of his staff are Roman Catholics.

SIR EDWARD GREY: I will make inquiries as to the facts, but the question is not permanently affected by the religious opinions of any Member of the diplomatic staff who happens to be at Constantinople at a given date.

Descendants of British Subjects in the Ottoman Empire.

MR. BOTTOMLEY: I beg to ask the Secretary of State for Foreign Affairs whether, having regard to the fact that, under British law, the grandchildren of British subjects, wherever born, are British subjects, but that the suceeding generation, if born abroad, lose their nationality, there are any persons residing in the Ottoman Empire who, having lost their British nationality, have yet been granted British passports.

SIR EDWARD GREY: It is not the fact, as assumed in the hon. Member's Question, that under British law the grandchildren of British subjects, wherever born, are in all cases themselves

British subjects. I am not aware of any case in which a person residing in the Ottoman Empire, and who has lost his British nationality, has been granted a passport as a British subject.

MR. BOTTOMLEY said he could give the right hon. Gentleman instances.

SIR EDWARD GREY: If any such passport has been issued it has been by inadvertence.

Post Office Telegraphs.

MR. HAROLD COX (Preston): I beg to ask Mr. Chancellor of the Exchequer whether his attention has been called to the recent Return relating to the Post Office telegraph service, showing that this service has been worked at a loss ever since 1872, that that loss has rapidly increased in the past few years, and now amounts to over £1,000,000 per annum; and whether he will consider the desirability of appointing a Select Committee to consider by what means, if any, the taxpayer can be relieved of this burden.

THE CHANCELLOR OF THE EXCHEQUER (Mr. ASQUITH, Fife, E.): I am familiar with the Return to which my hon. friend refers, and I am aware that the annual expenditure in respect of telegraphs largely exceeds the annual receipts. The account, however, includes expenditure upon extension of the system and other capital charges (amounting, as shown by Appendix R to the Postmaster-General's Report [Cd. 3114], in 1904–5 to over £758,000), as well as the cost of earning current revenue. I do not think that any advantage would result from the appointment of a Select Committee.

Income-Tax.

MR. SEARS (Cheltenham): I beg to ask Mr. Chancellor of the Exchequer if he will give a Return showing the amount of income-tax paid to revenue in respect of income which escaped assessment or was insufficiently assessed and subsequently re-assessed in England, Scotland, and Wales for a period of ten years to April, 1906; and will he state the number of taxpayers concerned and in respect of how many years the back duty was recovered.

MR. ASQUITH: I do not think that the information given by such a Return would be of sufficient general interest and value to justify the labour necessary for its compilation, which I am given to understand would be very considerable.

Bedford Window Breaking Case.

MR. THORNE (West Ham, S.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the cases of George Woods and William Charles Huchinson, who were sentenced to penal servitude for five years by the recorder, Mr. W. Russell Griffiths, at the Bedford quarter sessions, for breaking window-panes; and if he will consider the possibility of reducing their sentences, considering the circumstances under which the offences were committed and there being no previous conviction against the men.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): Yes, Sir. The offence was committed with great deliberation without reason or excuse, and was aggravated by misbehaviour in court. At the same time the sentences passed were too severe, and the learned Recorder, who tried the case carefully and endeavoured to bring out anything that could possibly be said in the men's favour tells me that, on reflection, he too is of that opinion. One of the men had previously served a month's imprisonment for a similar offence, but this was not known at the trial. In the circumstances I have decided to advise the reduction of the sentences to six months in the case of Hutchinson and three months in the case of Woods.

Government Trade Statistics.

COLONEL HERBERT (Monmouthshire, S.): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to Cd. 3196, Mines and Quarries, General Report and Statistics, Part III., in which the output of pig iron and the amount of iron ore in use in the county of Monmouth are not stated, but are included in a general total with the county of Glamorgan; and whether, having regard to the fact that the number of blast furnaces in the two counties is exactly identical, while the average in blast during the year is but slightly inferior in the county of Monmouth, he will recognise the necessity for remedying this defect in compilation by issuing a supplementary Report with figures for the county of Monmouth, and will give instructions that in future the Returns of the two counties be stated separately.

MR. GLADSTONE: The information which is tabulated in Tables 199 and 200 of the Annual General Return is supplied voluntarily by manufacturers and under a pledge of secrecy from the Home Office. To avoid disclosure of the output of any particular firm it is necessary to group counties together, as in some counties there is only one firm producing a particular kind of iron. The figures for Glamorgan and Monmouth before last year were grouped with Denbigh and Flint respectively; but in order to meet a wish expressed that the figures should be arranged so as to show the output for the South Wales and Monmouth coalfield separately the present grouping was adopted. It is too late now I am afraid to make any change in the statistics for 1905, but I will consider before the figures for the current year are issued whether, by obtaining permission to publish individual figures or otherwise, it will be possible to show the figures for the two counties separately.

Homes for Inebriates.

MR. SUMMERBELL: I beg to ask the Secretary of State for the Home Department if his attention has been called to the difficulty of rendering operative the provisions of the Inebriates Act, 1898, as regards the establishment of homes for inebriates; and, if so, whether it is his intention to take such action as will provide for the maintenance of such homes in the same manner as His Majesty's penitentiaries are now provided and maintained.

MR. GLADSTONE: I am not aware of the difficulty referred to by the hon. Member. At the present time there is ample accommodation in the Certified Inebriates' Reformatories for the cases committed by the Courts, and arrangements have been made for the supply of further accommodation when it is required. Many of the reformatories are available for the use of any local authority desirous of entering into an agreement for the reception of cases committed within its area.

Prosecution of Salvationists at Widnes.

MR. SEDDON (Lancashire, Newton): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the imprisonment of five members of the Salvation Army for defending the right of free speech at Widnes, Lancashire; whether he can take steps to secure their release; and whether he will cause an inquiry to be made into the conduct of the police on the right of meeting in the above town.

MR. GLADSTONE: I understand that the action complained of was consequential to the arrangement arrived at between the local authority and labour representatives. On the information before me I see no reason for interference. All the prisoners with the exception of one man have been released on payment of the fines.

MR. SEDDON put a further Question which was inaudible in the Press Gallery.

MR. GLADSTONE: This Question was only put down yesterday, and obviously it is impossible to get all the facts at such short notice.

Sunday Schools and Epidemics.

MR. GEORGE ROBERTS (Norwich): I beg to ask the President of the Local Government Board whether a local sanitary authority has power to order the closing of Sunday schools during the prevalence of infectious diseases as in the case of day schools; and, if not, will he take steps to bring Sunday schools under the control of the sanitary authority, as these schools remaining open during the time contagious diseases prevail tends to propagate ailments and render futile the closing of day schools.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (MR. JOHN BURNS, Battersea): Sanitary authorities have no power under the general law to close Sunday schools during the prevalence of infectious disease. I will take note of the suggestion that this power should be conferred upon them; but I should hope that where the public elementary schools in a district are temporarily closed on account of the prevalence of infectious disease the managers of the Sunday schools would see their way to close these schools also.

Motor Traffic Regulations.

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Secretary to the Local Government Board, if he will state how many local authorities have made application for the regulation of motor traffic within their district; how many inquiries have been made by the Local Government Board; how many applications agreed to; and how many refused.

MR. JOHN BURNS: Since the Motor Car Act, 1903, was passed, 73 applications for the imposition of speed limits have been received by the Local Government Board from 55 local authorities. Twenty-four local inquiries have been held. Regulations have been issued in ten cases and promised in one other; 14 applications have been refused; 44 have been withdrawn or allowed to lapse by the local authority, and four are still under consideration.

Unemployed at Hollesley Bay Farm Colony—Votes at Municipal Elections.

MR. FELL (Great Yarmouth): I beg to ask the President of the Local Government Board whether the ninety-two unemployed from the farm colonies were brought up in the charge of any official employed by the Working Colonies Committee; whether they were conducted to the polls to vote by such officials, or by anyone; and whether they, in fact, voted, and in which municipal boroughs.

I beg also to ask the President of the Local Government Board by whom the Central (Unemployed) Body was appointed, and the names of the members forming that body; whether the Central Body appointed the Working Colonies Committee; and whether, seeing that the expenditure on railway fares in bringing from the farm colonies ninety-two unemployed to vote at the recent municipal elections was sanctioned by the Working Colonies Committee, and confirmed by the Central Body, he will cause an inquiry to be made into the working of both bodies, and have their accounts looked into and audited, and such payments as the above struck out by the auditor if he finds them illegal, and surcharged to the members who were present and sanctioned the payment complained of.

I beg further to ask the President of the Local Government Board who paid the living and other travelling expenses of the ninety-two unemployed who were sent up to London to vote at the recent municipal elections, and whose railway fares only were paid by the Central (Unemployed) Body; and whether he will cause a special inquiry to be made into the whole circumstances connected with this trip.

MR. T. L. CORBETT: At the same time may I ask the President of the Local Government Board who controls the expenditure of the voluntary contributions out of which the travelling expenses of fifty-two unemployed were recently paid on the occasion of their visit to London to vote at the municipal elections; and whether the contributors to the fund were consulted before it was used for political purposes.

MR. MACVEAGH (Down, S.): Before these Questions are answered, may I ask the President of the Local Government Board whether he has any reason to believe that before these electors voted they were entertained at a garden party, and whether he is aware that the candidates for whom they voted escaped by the skin of their teeth?

MR. JOHN BURNS: I have been too busy lately to take notice of such al-fresco frivolities. The ninety-two men from the farm colonies were not brought up or conducted to the polls by any official of the Central (Unemployed) Body. I have no information as to whether in fact they voted, and if so, where, or as to who paid their living and other expenses beyond their railway fares. I presume that they stayed at their own homes. The funds in the Voluntary Contributions Account out of which their railway fares were paid are under the control of the Central Body. I am not aware that the contributors to these funds have been consulted as to the application of them; but I may say that I do not understand that any part of the money was used for political purposes. The Central (Unemployed) Body for London consists of members selected by the County Council, the Common Council, and the Borough Councils, together with some members nominated by the Local Government Board or co-opted by the Central Body. They number some eighty persons, so that evidently I cannot give their names in answer to a Question. The accounts of the Central Body and their committees are subject to audit by the district auditor, who has full powers of disallowance and surcharge in respect of any expenditure he may find to be illegal. It does not seem to me necessary to direct any inquiry in relation to this subject.

MR. T. L. CORBETT: Will these voluntary funds subscribed by contributors be used in future elections to send voters to the polls?

Mr. BURNS: I think it can be safely left to the district auditor to see that both voluntary and other funds are used legally and properly.

Mr. KEIR HARDIE (Merthyr Tydvil): Is it not the case that, apart from the working arrangements in these colonies, these men are allowed to return home at certain periods, and that this visit was in substitution of one of the periods?

Mr. BURNS: It is true that a return on furlough by the men is absolutely necessary for the carrying out of the Act, and for the men resuming their industrial work, if work can be found. What happened in this case was that the period of their furlough was antedated.

Mr. ROWLANDS (Kent, Dartford): Do these men who have unfortunately to go to these colonies forfeit their rights of citizenship?

Mr. BURNS: No.

Mr. T. L. CORBETT: Are we to understand that it is a mere coincidence that the railway fares were paid to London at a time when the elections happened to be going on?

Mr. BURNS: It is more than a coincidence; it is a positive fact, and has been done on many previous occasions.

St. Pancras Starvation Case.

MR. BENNETT (Oxfordshire, Woodstock): I beg to ask the President of the Local Government Board whether he is aware that at an inquest held by the St. Pancras coroner on or about 10th November the widow of the deceased stated that she, being destitute, had applied for admission to a workhouse, but had been refused by the authorities unless her husband came with her; and will he say whether it is the duty of Poor Law officers to relieve destitute married women on their own application just as much as single women, or men, married or single, who are destitute.

MR. JOHN BURNS: I have seen a newspaper report of this inquest, and am in communication with the guardians as to the alleged refusal to admit the woman to the workhouse. I may state generally that in a case of sudden and urgent necessity it would be the duty of the relieving officer to relieve a destitute married woman on her own application.

Telegraphic Arrangements in Central London.

MR. HAROLD COX: I beg to ask the Postmaster-General whether he is aware that messages, intended to be telegraphic, sent from the post office attached to this House, and from other offices in or near the centre of London, to addresses in the E.C. and W.C. districts are never placed on the wire at all, but are conveyed as written by the senders in pneumatic tubes; whether such messages on arrival at the office of destination are copied on to a fresh piece of paper before being delivered to the addressee; and, if so, why this expenditure is incurred.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): The facts are substantially as stated. It is necessary, for accounting purposes, to retain the original, stamped, form of all telegrams, and consequently copies must be made for delivery.

Promotion in the Liverpool Telegraph Office.

MR. WILLIAM RUTHERFORD (Liverpool, West Derby): I wish to ask the Postmaster-General whether, having recently promoted to the position of overseer a man number 42 in the class of telegraphists at Liverpool, and shortly afterwards promoted number 19, he can explain why the senior was not promoted in the first instance; and whether he will explain the apparent inconsistency of the system.

MR. SYDNEY BUXTON: There has been no inconsistency in the system under which promotion has been carried out at Liverpool. The officer first appointed was considered, at the time of his appointment, the most suitable for promotion, taking everything into account, and the officer similarly appointed was, at the time of the selection, considered the most suitable for promotion. Seniority is always taken into account in these promotion cases, but there are other important factors which must also be considered.

Overtime in the Central Telegraph Office.

MR. WILES (Islington, S.): I beg to ask the Postmaster-General whether, having regard to the fact that the 2,180 male employees at the Central Telegraph Office worked 132,800 hours overtime during the months of June, July, and August last, he will consider the advisability of increasing the staff so that there may be less overtime and more men may be given employment.

MR. SYDNEY BUXTON: The period referred to was during the height of the season pressure when a portion of the staff is on leave and a certain amount of overtime is unavoidable. I fully recognise the desirability of reducing the amount of overtime as far as possible.

Sunderland Postal Clerks' Grievance.

MR. SUMMERBELL: To ask the Postmaster-General whether the postal clerks of Sunderland are fined for offences (many of them of a minor character); whether such offences are registered against them and they are again penalised by the arrestment of their increment; and, if so, whether it is his intention to make any change in regard to it with a view to making one punishment for the same offence suffice; and whether he is prepared to give the men an audience in regard to the matter.

MR. SYDNEY BUXTON: Some minor offences are punished at Sunderland as elsewhere by small fines. The annual increment of an officer can only be allowed if his conduct during the year has been approved; and in considering whether the necessary certificate of approved conduct can be given, his whole record during the year is reviewed. Isolated minor irregularities of the kind for which a fine is imposed would not affect an increment. Evidence has been given on this question before the Committee on Post Office Servants, and I do not think therefore that an interview on the subject at the present time would serve any useful purpose.

Street Betting Bill and Telegraphy.

MR. MACVEAGH: I beg to ask the Postmaster-General whether his attention has been called to the proceedings at a meeting held in the Holborn Town Hall on Monday, to denounce the Street Betting Bill, and to the fact that one of the speakers threatened that, within five minutes of the passing of the Bill, he would send a betting telegram from the Lobby of this House; and whether he will give instructions to prevent this threat being carried out.

MR. SYDNEY BUXTON: I have not seen the report of the speech of the hon. Member to which the Question refers. I have no power to prevent the hon. Member in question from committing a breach of the law if it amuses him to do so. It would be, I should imagine, for another Department to deal with him.

SIR E. CARSON (Dublin University): Do I understand that the Street Betting Bill will apply to telegrams?

MR. SYDNEY BUXTON: That I cannot tell you. The Bill is not yet passed.

SIR E. CARSON: I know that. Otherwise how would an offence be committed if the hon. Member does what is stated?

MR. SYDNEY BUXTON: I did not say so. I said I have no power to prevent the hon. Member committing a breach of law if he desires to do so.

SIR E. CARSON: But will it be a breach of law?

MR. MACVEAGH: Does the right hon. Gentleman know who is the hon. Member referred to in the Question?

MR. SYDNEY BUXTON: I have not read the report, and I cannot tell.

MR. MACVEAGH: I can.

MR. FLAVIN (Kerry, N.): Can the right hon. Gentleman say on which side of the House the noble Lord sits?

MR. SYDNEY BUXTON: The hon. Member had better ask his colleague.

MR. BOTTOMLEY: As a matter of fact does the Betting Bill apply to post offices?

MR. SYDNEY BUXTON: Not yet.

Boston Pilot Commissioners.

MR. JOYCE (Limerick): I beg to ask the President of the Board of Trade whether, in view of the want of consideration and appreciation of the objects for which they were appointed, namely, the safety of life and property on board ships trading to the port, exhibited by the majority of the Boston Pilot Commissioners, and in view also of their proposal to diminish the earnings of the pilots for the sake of the profit accruing to dock and railway companies from the trading of two foreign steamers, the masters of which cannot obtain pilotage certificates, he will facilitate the obtaining of a Provisional Order to reconstitute the Boston Pilot Trust by adding seven pilots to the forty-three Commissioners who at present constitute the trust, and among whom there are no pilots; and whether he will, seeing that the Boston pilots are poor men, forego either wholly or in part the official charges payable on an application for a Provisional Order.

THE PARLIAMENTARY SECRETARY TO THE BOARD OF TRADE (Mr. KEARLEY, Devonport): If an application is made to the Board of Trade for a Provisional Order in accordance with the procedure laid down in Section 580 of the Merchant Shipping Act, 1894, it will receive their careful consideration. The fee is a fixed charge required under Board of Trade Regulations to cover the expense of settling the Order.

Durham County Council and the Weights and Measures Act.

MR. SUMMERBELL: I beg to ask the President of the Board of Trade whether an intimation of protest has been received from the Durham County Council against the new regulations about to be issued in regard to the testing and stamping of glass or earthenware measures, the fees to be charged for such stamping, the latter alone involving a loss of £500 per annum to Durham county; and, if so, whether he is prepared further to consider the matter before finally adopting such new regulations, in order that the above authority may have a further opportunity of laying their observations before him.

MR. KEARLEY: Representations were received from the Durham County Council on the points mentioned by the hon. Member and were referred to the Departmental Committee which is considering the draft regulations. The Board of Trade have not yet received the Committee's Report, and are prepared to consider any further observations the council may wish to submit, if they will submit them without undue delay.

Rex v. Fowler.

MR. CLAUDE HAY (Shoreditch, Hoxton): I beg to ask Mr. Attorney-General whether the Treasury were aware that on the 3rd February last a communication was published setting out the allegations made by the prosecutors, Taylor and Hood, in the case of Rex *v.* Fowler, and also Mr. Fowler's version of the matter; and, if so, were any, and, if so, what, steps taken by the Treasury to verify Mr. Fowler's statement.

*THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.): The Answer is in the negative.

MR. ASHLEY: I beg to ask Mr. Attorney-General whether the prosecutors, Taylor and Hood, in the case of Rex *v.* Fowler, wanted to make something out of their connection with the case, and refused to take the allowances made to them by the Treasury on the ground that they were too small; and whether Hood wrote to the Treasury on the subject.

*SIR JOHN WALTON said the men were entitled as witnesses to four days allowance and only got two, but they applied for the extra and had since received payment.

MR. CHARLES CRAIG (Antrim, S.): I beg to ask Mr. Attorney-General whether the Treasury are aware that the statements on oath of Hood and Taylor in the case of Rex *v.* Fowler when applying for the summonses at Oxted Police Court on the 13th August, 1906, each contained similar inaccuracies; and, if so, whether the Treasury intend to institute proceedings against these men for conspiracy; and, if not, will he explain why.

*SIR JOHN WALTON said the inaccuracies were not such as to justify a charge of criminal conspiracy.

MR. COURTHOPE (Sussex, Rye): I beg to ask Mr. Attorney-General whether the Treasury were aware, when preparing the case for the prosecution in Rex *v.* Fowler, that one Frank Attwood Huckle consulted the hon. Member for Reigate as to approaching the Treasury with a view to the Crown undertaking the prosecution; and whether Frank Attwood Huckle did not give evidence to this effect.

*SIR JOHN WALTON: The Answer is in the negative. The Treasury were not aware prior to the hearing that any such interview had taken place.

VISCOUNT TURNOUR (Sussex, Horsham): I beg to ask Mr. Attorney-General whether the Treasury were aware when the prosecution was undertaken by the Crown in the case of Rex *v.* Fowler that the hon. Member for Reigate called on the accused Fowler on the 3rd February last, and was then furnished by the accused with a full statement of the facts which were subsequently given in evidence by Mr. Fowler and Colonel Brewster, at the Oxted petty sessions, in this case; and whether Mr. Fowler offered to place the whole of the correspondence connected with the case at the disposal of the hon. Member for Reigate.

*SIR JOHN WALTON: No, Sir; they were not aware of any such interview.

VISCOUNT TURNOUR: Will the facts which have since transpired in any way affect the decision of the Treasury to take no further proceedings?

*SIR JOHN WALTON: No, Sir.

MR. HICKS BEACH (Gloucestershire, Tewkesbury): I beg to ask Mr. Attorney-General whether the Treasury made any inquiries into the *bona fides* of the persons they intended to call as witnesses in the case of Rex *v.* Fowler, or took any steps to ascertain whether their evidence could be relied on.

*SIR JOHN WALTON: Inquiries were made in regard to the character of the witnesses, and the Public Prosecutor informs me that there was no reason to doubt the *bona fides* of any of the witnesses who were called to give evidence at the hearing.

Treasury Prosecutions.

LORD R. CECIL (Marylebone, E.): I beg to ask Mr. Attorney-General whether he will give the express statutory authority, regulation, or order which enables the Treasury solicitor to employ persons other than solicitors to take evidence on behalf of the Treasury in respect of a prosecution undertaken by the Treasury.

*SIR JOHN WALTON: I have already answered that Question more than once. There is certainly no order, minute, or regulation on the subject.

MR. CLAUDE HAY: I beg to ask Mr. Attorney-General whether the Treasury were aware that, when the Crown decided to call Frederick Skinner as a witness in the case of Rex *v.* Fowler, Frederick Skinner was convicted, on 20th July, 1903, at Oxted petty sessions, for assault on a woman, and that he was sentenced to imprisonment with hard labour.

*SIR JOHN WALTON: This person was never called.

VISCOUNT TURNOUR: On behalf of the hon. Member for the Holderness Division of Yorkshire, I beg to ask Mr. Attorney-General whether the Treasury were aware when the Crown decided to call Henry Wilkins as a witness in the case of Rex *v.* Fowler, that Henry Wilkins had been convicted on the 13th July, 1903, at Oxted petty sessions, of vagrancy, and on 24th October, 1904, at the same place, of cruelty to animals.

*SIR JOHN WALTON: I can only make the same answer—this person was not called. I think it quite unnecessary that these gratuitous reflections should be made.

VISCOUNT TURNOUR: I beg to ask Mr. Attorney-General whether it is the practice, when the Treasury undertake the prosecution, to investigate statements made by the defendant at any time; and, if so, why were the statements of the accused Fowler, in the case of Rex *v.* Fowler, which were published on the 3rd February, 1906, not investigated by the Treasury.

*SIR JOHN WALTON: The statements referred to were not known to the Treasury until the hearing of the summonses. It is a matter of doubtful propriety to approach a defendant during the conduct of a prosecution against him.

MR. ASHLEY: I beg to ask Mr. Attorney-General whether the Public Prosecutor was aware when William Richardson became one of the prosecutors on behalf of the Crown in the case of Rex *v.* Fowler, that he was convicted on 30th September, 1901, at Oxted petty sessions, of disorderly conduct, and was convicted on 12th January, 1903, at the same place, for disorderly conduct.

*SIR JOHN WALTON: This person was not a prosecutor but a witness. The Public Prosecutor informs me that he was not aware that Richardson had been convicted of disorderly conduct when he was called as a witness, but even if he had had that knowledge he would not have considered that the fact necessarily established the conclusion that the man was not to be believed.

VISCOUNT TURNOUR: Is it the practice of the Treasury to rely on witnesses of such character?

*SIR JOHN WALTON: I have heard of persons quite credible as witnesses having been convicted of disorderly conduct.

VISCOUNT TURNOUR: This man had been convicted twice.

MR. CHARLES CRAIG: I beg to ask Mr. Attorney-General whether the Treasury were aware before or during the trial of the case of Rex *v.* Fowler, that on the 11th February, 1906, the hon. Member for Reigate called on Mr. Fowler in regard to the case of Rex *v.* Fowler, and that Mr. Fowler stated his case to him and offered to verify his statements by the production of correspondence between Mr. Blundell Leigh, Colonel Brewster, and himself; and, if so, were any, and, if so, what steps taken to do so

*SIR JOHN WALTON: I have already answered this Question.

VISCOUNT TURNOUR: I beg to ask Mr. Attorney-General whether Robert Taylor, on his oath in the case of Rex *v.* Fowler, stated he had been deaf for two years; and whether he was called by the Crown to prove overhearing a conversation, in the bar of the Greyhound public house, then crowded by twenty or more persons, by which it was thought to incriminate the accused Fowler.

*SIR JOHN WALTON: I have nothing further to say on this Question, to which I have replied on a former occasion.

MR. SWIFT MACNEILL: Who is this immortal Fowler?

MR. CAVE (Surrey, Kingston): I beg to ask Mr. Attorney-General, whether, having regard to the fact that, in the case of Rex *v.* Fowler, the Treasury were unable, after the facts had been ascertained, to proceed further with the charge, he will direct that Mr. Fowler shall receive a sum to cover his costs, which are understood to amount to nearly a moiety of his annual salary and wages.

*SIR JOHN WALTON: There is no machinery by which this can be done.

VISCOUNT TURNOUR: Will the Government introduce legislation to deal with such cases as this?

*SIR JOHN WALTON: If the noble Lord will bring in a Bill I will give it consideration.

VISCOUNT TURNOUR: Will the Prime Minister give facilities for such a Bill?

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): Does the noble Lord expect me to promise facilities for a Bill I have never seen?

MR. HICKS BEACH: I beg to ask Mr. Attorney-General whether there is any precedent to justify the action of the Treasury in the case of Rex *v.* Fowler in employing a paid election agent to take evidence against his political opponents, in connection with a Treasury prosecution under the Corrupt Practices Acts, in the constituency in which he was the election agent, and in respect of an election in which he was the election agent for the candidate opposed to the candidate of whom the accused was a supporter.

*SIR JOHN WALTON: I have already answered this Question on former occasions.

Wadsworth v. Harland and Ingham.

MR. O'GRADY: I beg to ask Mr. Attorney-General whether his attention has been called to the case of William Wadsworth, hay and straw dealer, Leeds (plaintiff), and Messrs. Harland and Ingham, solicitors, Leeds (defendants), tried before Mr. Justice Grantham and a special jury at Leeds on the 28th of July, 1905, the plaintiff suing defendants on the grounds of wrongful advice and professional negligence arising out of a previous action between the said William Wadsworth and John Traynor Harrison, excavating contractor, Leeds, tried before the same Judge, in which the learned Judge described the action of defendant as a fraud and ordered one of the witnesses out of the box, his Lordship further setting aside a deed of assignment of the 30th of April, 1903, as fraudulent; and whether he will cause inquiries to be made into this case.

SIR JOHN WALTON: This is not a matter with which I can deal. I would suggest to the hon. Member that if the facts are laid before the Public Prosecutor the matter will be investigated in the ordinary course.

American Gooseberry Mildew.

MR. LAURENCE HARDY (Kent, Ashford): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether he is aware that the American gooseberry mildew, which has been such a scourge in America, and which is established in Ireland and parts of the Continent, has been discovered in England within the last few days amongst imported stock; and whether he will undertake that immediate steps shall be taken by legislation or other effectual means, to prevent the establishment of this disease in the fruit gardens of this country.

SIR EDWARD STRACHEY (Somersetshire, S.): We were informed last month that the disease in question had been discovered in Worcestershire this summer, but we have no information as to its discovery in imported stocks in the last few days. The Board have no power to prohibit the importation or to order the destruction of diseased stocks, and it is not practicable to introduce legislation on the subject during the present session. A leaflet on the subject has been in circulation for some years and several thousand copies have been distributed during the present year. The Board are now in communication with the Customs with a view of obtaining the necessary information to enable them to warn importers against purchasing gooseberry bushes from countries where the disease is prevalent.

Department of the Controller of Stamps.

MR. CLAUDE HAY: I beg to ask the Secretary to the Treasury whether the Lords of the Treasury have recently received a petition from the clerical staff in the Department of the Controller of Stamps protesting against the promotion over their heads, to a principal clerkship, of a minor staff officer in the department of the secretaries, with considerably less service than the clerk in the Controller's Department, who was specially recommended by the Controller as the fittest man for the post; whether he is aware that the Controller of Stamps was for some years an assistant secretary, and had, therefore, full knowledge of the characters and official qualifications of each of the two gentlemen concerned; whether seeing that such a translation as that complained of is directly opposed to the principle which has hitherto, with one special exception, always obtained in filling the principal clerkships and assistant controllerships by promotion from competent officers within the ranks of the Controller's Department, he will cause full inquiry to be made in regard to this transaction, and satisfy himself, as well on the merits as from all points of view, that the translation of the officer in question is likely to be an influence for good in the Department of the Controller of Stamps, and really beneficial to the public service; and whether, pending such inquiry, he will instruct the Commissioners of Inland Revenue to defer the translation of the gentleman in question.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. MCKENNA, Monmouth, N.): The Treasury have received the petition and have given due consideration to its contents. The second division clerks are a body common to a large number of Government Departments, and liable to transfer from one department to another, as the public service may require. The Treasury are unable to admit that the members of that body who have been assigned for service in the Inland Revenue Department acquire an exclusive right of promotion to all the superior posts in the particular branch ot that department in which they may happen to be placed. It is the duty of the Board of Inland Revenue to fill vacancies by selection of the men who are best qualified, and the Treasury have no reason to doubt the propriety of the selection they have made for the vacancy now in question.

MR. CLAUDE HAY: Why was the Controller's recommendation disregarded?

MR. MCKENNA: There has been no recommendation.

MR. CLAUDE HAY: I will put another Question.

Crown Lands Agents.

SIR GEORGE DOUGHTY: I beg to ask the Secretary to the Treasury when the new agent for Crown Lands will commence his duties; what are the special qualifications that have been required not possessed by the present professional agents; what is the remuneration to be paid; and what is the name of the gentleman or firm it is proposed to appoint.

I beg also to ask the Secretary to the Treasury what change of policy has taken place that necessitates the dismissal of the agents of Crown Lands, seeing that they have held these appointments for upwards of fifty years; whether they have on all occasions given entire satisfaction; and whether the appointment has been promised to a Member of this House.

MR. MCKENNA: No appointment has been made and I am not in a position to add anything to the Answer given by my hon. friend the Member for South Somersetshire on the 8th instant.†

Whitburn Beach.

MR. SUMMERBELL: I beg to ask the hon. Member for East Bristol, as Church Estates Commissioner, whether his attention has been called to the condition of Whitburn Beach, near Sunderland, due to the continual deposit of refuse from the adjoining collieries, amounting in one day to forty-three railway truck loads and seventeen contractor's wagon loads, or a total quantity of about 500 tons; and, if so, what action, if any, he intends to take to put a stop to it.

MR. CHARLES HOBHOUSE (Bristol, E.): The Commissioners are the lessors of the collieries, but the beach or foreshore in question is not their property, and they have therefore no power over the parties concerned in this matter.

The Irish Agricultural Society.

MR. FFRENCH (Wexford, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Department of Agriculture and Technical Instruction have subsidised, out of public funds, the Irish Agricultural Society, as pointed out in a resolution recently passed at the New Ross Urban District Council; and whether, in view of the effect of such action upon the general trader, he will take steps to have it discontinued.

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† See (4) *Debates*, clxiv, 750, 751.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.): I beg to refer to the Answer which I gave to a Question on this subject put by the hon. Member for North Cork on 1st August last.† The relations between the Department of Agriculture and the Irish Agricultural Organisation Society are to be further considered at a meeting of the Council of Agriculture which has been fixed for the 27th and 28th of the present month.

Listowel Estate, North Kerry.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state if the agreements signed by the tenants on the Listowel Estate, North Kerry, have been lodged with the Estates Commissioners, and, if so, when; whether he can state if inspection has taken place on the estate, and, if so, when; and whether he can state when the sale will be sanctioned and the holdings vested in the tenants.

MR. BRYCE: The Estates Commissioners inform me that agreements for purchase in respect of the estate in question have been lodged with them, and they have had the holdings inspected. They have, however, deferred their ruling in the matter pending the decision of the Judicial Commissioner as to the legality of the addition of arrears of rent to the purchase money, upon which point a question of law has been stated in another case.

Douglas Estate, North Kerry.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can say if about 400 acres of untenanted land on the Blacker Douglas Estate, near Asdee, North Kerry, has been offered for sale to the Estates Commissioners for the reinstatement of evicted tenants and supplying holdings to labourers and cottars in the district; and, if so, what action have the Estates Commissioners taken in the matter.

MR. BRYCE: The Estates Commissioners inform me that Mr. Blacker Douglas has offered for sale to them 843 acres of untenanted land in North Kerry, and they have ordered an inspection of the vendor's estate.

Limerick Fishery Conservators.

MR. JOYCE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware of the fact that one of the present members of the Limerick Board of Fishery Conservators, named Mr. Glynn, acted as chairman at two meetings of fishermen held in last September, at which three candidates were nominated to represent the fishermen on the board; that at that meeeing twenty-four licences, equal to forty-eight votes, were handed to the secretary to have them filled in as proxies, with instructions to send them to Mr. Glynn for signature by the men; that Glynn gave those licences to the opponents of the fishermen, and by this means got a seat on the board; that when a protest was made some only of the licences were returned, and then only when it was too late to use them for the purpose of the election; and whether, under those circumstances, a full and impartial inquiry will be held into the case of this election.

MR. BRYCE: The Department of Agriculture and Technical Instruction are making inquiries into the subject of the Question, but these will take some little time. As soon as the result of the inquiries reaches me, I will communicate it to the hon. Member.

Price of Land in Ireland.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can say how many years purchase a tenant paid for his holding who bought at 20 per centum reduction under the Land Purchase Act of 1896; and whether he can say how many years purchase a tenant pays for his holding who buys at 20 per centum reduction under the Act of 1903.

MR. BRYCE: The Land Commission inform me that a tenant who bought, under the Acts of 1891 to 1896, at an annuity which represented a reduction of 20 per cent. on his previous rent (the annuity being 4 per cent.), purchased at the rate of twenty years purchase, as against 24·6 years purchase, under the

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† See (4) *Debates*, clxii., 1053–4.

Act of 1903, where the annuity is 3¼ per cent. and the reduction on the rent is the same.

MR. FLAVIN: It is really thirty-six years purchase.

Irish Estates Commissioners.

MR. O'SHEE (Waterford, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the staff of the Estates Commissioners are seriously hampered by having to carry on their work in many of the smaller rooms of a private house, which were formerly used as bedrooms, and are very inconvenient as the offices of an important public Department; and whether he will take steps to have suitable offices erected for the staff of the Estates Commissioners on a scale such as is usual for public Departments of similar importance in London.

MR McKENNA: I understand that steps are being taken to erect suitable offices for the staff of the Irish Land Commission and Estates Commissioners. Additional accommodation is meanwhile being provided, and will be available on or before 1st February, 1907.

Dromore River Floods.

MR. SAMUEL YOUNG (Cavan, E.): I beg to ask the Secretary to the Treasury, with reference to the flooding of the Dromore River, county Cavan, whether the Board of Works in Ireland, having rejected the drainage scheme prepared at their own cost by the inhabitants, can now state what scheme they are prepared to sanction; or, if not, what facilities will be given to the people to redress at their own cost the grievances of which they complain.

MR. McKENNA: I am informed that the only way in which a new drainage district can be formed with power to a local drainage board to carry out and maintain works and recover the cost thereof from the persons benefited is under the Arterial Drainage Act of 1863. The Board of Works have no power to suggest schemes. It was one of the chief purposes of the Act to transfer that duty to persons locally interested. It is open to the promoters to prepare a new scheme, but in view of the appointment of the Vice-Regal Commission on Arterial Drainage it would appear to be desirable, in the interests of the promoters themselves, to await the issue of the Report of the Commissioners.

MR. SAMUEL YOUNG: Will the Board of Works send an engineer to report on the scheme?

MR. McKENNA: The Board of Works have no power to spend money on such a purpose.

Drumlish Letter Carrier.

MR. J. P. FARRELL (Longford N.): I beg to ask the Postmaster-General whether he is now in a position to direct the mid-day rural letter carrier from Longford to Drumlish to remain two hours at the latter village to collect correspondence for the same day's out-going English mail, and thus save a day in corresponding to traders in Drumlish.

MR. SYDNEY BUXTON: The circumstances since my last Answer was given to the hon Member on the subject have not changed.

Lord Selborne and the South African Elections.

MR. SWIFT MACNEILL: I beg to ask the First Lord of the Treasury whether the attention of His Majesty's Government has been directed to a letter of Lord Selborne, His Majesty's High Commissioner for South Africa, addressed to the Mayor of Pretoria, and published with Lord Selborne's authority, in which the High Commissioner bespoke the influence of the mayor on behalf of Sir Percy Fitzgerald, the leader of the Chinese Indentured Labour Party and the President of the Chamber of Mines, Johannesburg, who was about to speak at Pretoria in the electoral campaign now proceeding in the Transvaal Colony; whether this action of Lord Selborne, as the representative of the Crown and an Imperial Officer in South Africa, is in consonance with constitutional practice, and whether he has been called on by the Government for an explanation of his conduct and what communications, if any, have passed between the Government and Lord Selborne on the subject; and whether, in view of Lord Selborne's interference on behalf of a leading Party politician in the Transvaal, the Government propose to retain him in the position of High Commissioner.

SIR H. CAMPBELL-BANNERMAN: I have nothing to add to the Answer given by my hon. friend the Under-Secretary for the Colonies on Monday last.

MR. SWIFT MACNEILL: Is the right hon. Gentleman aware that Lord Selborne was a Member of the Cabinet which established the Chinese Ordinance, that he was sent out to start its operations, and that that was the subject of a public protest in this House in the form of a Motion for adjournment which I myself moved?

[No Answer was returned.]

Poplar Union.

LORD R. CECIL: I beg to ask the Prime Minister whether it is proposed to take any criminal proceedings against Madeley or McCarthy in connection with the irregularities disclosed in Mr. Davy's Report on the Poplar Union.

*SIR JOHN WALTON replied that the evidence had not yet been printed, and there had therefore not been sufficient opportunity for considering it and arriving at any conclusion.

LORD R. CECIL: When will the evidence be published?

*SIR JOHN WALTON: I should think in a few days. It is being printed.

LORD R. CECIL: Has the matter not been considered in the case of Madeley?

*SIR JOHN WALTON: No. That case will be considered when the whole evidence is available.

SIR GILBERT PARKER: On behalf of the hon. Member for the Walton Division of Liverpool, I beg to ask the Prime Minister whether he will afford the House an early opportunity of discussing the Poplar Report.

MR KEIR HARDIE: At the same time I will ask the Prime Minister whether, in view of the interest excited by the Report of the Local Government Board on the administration of the Poor Law in Poplar, and the deterrent effect which it is likely to have on other boards of guardians who are endeavouring to administer the Poor Law in a humane spirit, he will give this House an early opportunity of considering and pronouncing upon the same.

SIR H. CAMPBELL-BANNERMAN: The Report is not made by the Local Government Board, but to that Board by one of their officers, and I do not understand that it is proposed to call in question any action on the part of my right hon. friend the President in regard to the Report. Indeed, I am informed that at present no such action can be taken. In the circumstances, and looking to the demands on the time of the Government, I cannot see my way to comply with the request.

MR. CROOKS (Woolwich): I know the right hon. Gentleman sympathises with our efforts, and I would ask him whether we cannot have some guidance as to how we are to treat people who are out of work and who need food. Surely that is not an unreasonable request, having regard to the general feeling in the whole of London, quite apart from any irregularities?

SIR H. CAMPBELL-BANNERMAN: That is a question of policy which hardly arises out of the Question.

MR. KEIR HARDIE: Is the Prime Minister aware that in addition to the administration of workhouse affairs important points connected with the relief of the unemployed are involved, and in view of that could he not arrange for the Report's being considered?

SIR H. CAMPBELL-BANNERMAN: If we had abundance of time and nothing else to do we might provide a day for the discussion of these questions of high policy, which really cannot be pushed into a corner and considered in such time as would be available during the present session.

Procedure of the House.

MR. BILLSON (Staffordshire, N.W.) I beg to ask the Prime Minister whether, having regard to the arrangement arrived at on Tuesday morning between himself and the Leader of the Opposition for the progress of the Land Tenure Bill, he will consider the desirability of proposing some method of procedure by means of which all the stages of contentious public Bills may have suitable periods allotted for their discussion.

SIR H. CAMPBELL-BANNERMAN: I agree with my hon. friend that it will be highly desirable to have some machinery by which the stages of Bills, and even portions of great Bills, might have suitable periods allotted to their discussion, and I will not lose sight of the matter; but I can make no proposal on the subject at present.

BUSINESS OF THE HOUSE.

MR. A. J. BALFOUR (City of London): Has the right hon. Gentleman any announcement to make with regard to business?

SIR H. CAMPBELL-BANNERMAN said that to give his right hon. friend the First Commissioner of Works, who had been seriously indisposed, another day's rest, the Plural Voting Bill would be further postponed, and the Town Tenants (Ireland) Bill would be taken on Monday.

MR. KEIR HARDIE: When will the Workmen's Compensation Bill be taken?

SIR H. CAMPBELL-BANNERMAN: I cannot give any pledge at present, but reasonable notice will be given.

PUBLIC ACCOUNTS COMMITTEE.

Fourth Report, with minutes of evidence, brought up and read.

Report to lie upon the Table, and to be printed. [No. 352.]

ADJOURNMENT.

MR. LEHMANN, Member for the Market Harborough Division of Leicestershire, rose in his place and asked leave to move the Adjournment of the House for the purpose of discussing a definite matter of urgent public importance, viz., "The prevalence of gross immorality in the Chinese compounds in the Transvaal as disclosed in the recent Report of Mr. Bucknill, and the evidence appended thereto, and the imperative necessity laid upon His Majesty's Government to take immediate steps to put a stop to this state of affairs by every possible method, and especially by the more rapid and systematic repatriation of the Chinese coolies;" and, the pleasure of the House being signified, the Motion stood over, under Standing Order No. 10, until a quarter past Eight this evening.

MERCHANT SHIPPING ACTS AMENDMENT (No. 2) BILL.

Order read, for resuming Adjourned Debate on Amendment proposed [23rd October] on Consideration of the Bill, as amended (by the Standing Committee).

Which Amendment was—

"In page 26, line 26, to leave out Clause 51."—(*Mr. Evelyn Cecil.*)

Question again proposed, "That the words of the Clause to the word 'spaces,' in page 26, in line 26, stand part of the Bill."

SIR GEORGE DOUGHTY (Great Grimsby) admitted that the concession made by the President of the Board of Trade was a valuable one, and that it did, to a considerable extent, remove some portion of the burden which would be thrown upon two of the interests of the shipping community. He desired to ask, however, if he would reconsider his proposal, because, although it did, to some extent, meet their wishes, yet the clause was most objectionable and most injurious to certain interests. The President of the Board of Trade had said there had been great changes in the Bill in the interests of seamen. It was the duty of all interested parties and all those who had to do with the seafaring population to bear a certain portion of the obligation. If the main interests concerned were to receive benefits under the Bill, he would be prepared very largely to agree with the right hon. Gentleman, but the Bill as it stood had been termed a shipowner's Bill. He did not wish to use the phrase in any offensive way. The Bill removed several serious difficulties. It made the shipowning business more just and more equitable than it had been for many years. But the shipowners had been called upon under the Bill to provide more water space and space for provisions and, of course, they had to establish also a scale of feeding for the men on the ship. All these extra obligations in nearly every instance, so far as good shipowners were concerned, would cost them nothing. If they took the scale of feeding in all large ships, though there might be some variation in the kind of food they would see that the new scale would not cost a farthing more than the old. Therefore, all the advantages seemed to be going to the shipowner, because he had got a great concession in the re-consideration of the load line, and in the requirement that all foreign ships loading and unloading at British ports should respect the British load line. To that extent the Bill would put British shipping upon a better footing in the future than had been the case in the past, and consequently there would be a more equitable and reasonable method of competition. But practically the whole advantage of the Bill was going to the shipowners, whilst the pilot and dockowners would get no advantage whatever. It might be said the pilot did get some advantage, but he did not get any immediate advantage. He was obliged to the President of the Board of Trade for putting in a clause requiring that in the future, all men who held certificates as pilots should be British born, but his clause did not apply to the foreign pilots who held certificates at the present time. Consequently, although in the future, therefore, a pilot might benefit to some extent, he would not benefit at the present time, and they would impose upon him serious loss if they allowed the clause to stand as it did at present. What was the case of the dockowners? This Bill would do a great injustice to dockowners, and he hoped the President of the Board of Trade would give their case further consideration. Dockowners were not always private corporations; very often large public funds were invested, and sometimes a sacrifice of revenue meant a sacrifice by the public through their rates. Everyone knew that unless a dock was connected with a railway company and was a kind of receiving warehouse it was not a paying concern. This question of the dockowners' interest ought to be thoroughly considered by the President of the Board of Trade. This clause would give all shipowners the right to have their ships re-measured. Under the Bill, a shipowner could have his ship re-measured at one-fifth of the fees paid at the present time, and if they were to attempt to get a ship measured under the Board of Trade regulations they would stand no chance of getting any portion of the net tonnage reduced. The Board of Trade had laid down definite rules for each ship which was measured. The question of gross and net tonnage was beset with difficulties, of which he hoped the Board of Trade would find a solution; but there was no reason why, in this Bill, they should accentuate those difficulties. By this clause, which provided that owners might re-measure their ships, and stated that water ballast could be excluded, they were laying down a principle under which nearly every shipowner with a ship of 5,000 tons, and a net tonnage of 63 per cent., would come and ask to have his ship re-measured. He believed that under this clause the net tonnage of the ship might be reduced by at least 10 per cent. If the net tonnage of ships was reduced by anything like 10 per cent., or even by the 5 per cent. which had been suggested by the President of the Board of Trade, there would be a very serious loss to the revenue of the dockowners. He appealed to the President of the Board of Trade not to let this clause stand. It seemed to him that it did not affect the main objects of the Bill. The other clauses were excellent in their way, and this seemed quite a separate thing put in for some special reason or purpose—he believed, to serve the interests of the shipowners. The shipowners were getting a good deal in the Bill, and why there should be a clause that might have a tendency to reduce the remuneration of the pilots of England, and seriously injure the income of the dockowners, he could not understand.

*MR. DAVID MACIVER (Liverpool, Kirkdale) demurred entirely and emphatically to the statement that this Bill as a whole was to the advantage of shipowners. It was not to the advantage of all shipowners, although it might be to the advantage of some. He wished to refer to the load-line question. In this matter he thought the foreigners should have been brought up to the British standard.

*MR. SPEAKER: Order! order! This clause does not deal with the load-line. The House has already decided that point.

*MR. DAVID MACIVER thought he was perfectly in order in saying that this Bill was not to the advantage of all shipowners. It was in the interests of some, but not in the interests of all. Naturally they each of them looked at this question from their own individual point of view. The Bill was a long one, and contained a good many clauses which were not at all light and interesting reading. Speaking for himself, he entirely overlooked the real meaning of Clause 51 until his attention was drawn to it by his friends the pilots, who approached him in a reasonable way, and he very much sympathised with their view, that their earnings ought not to be reduced. So far he was in accord with the hon. Member for Grimsby and the hon. Member for Aston, who had stated the case of the pilots so clearly that he could not usefully add a word to what he said. The Bill was for the benefit of certain shipowners, one of whom he saw in the House. Clause 51 operated unfairly between ship and ship, and would not give any advantage to shipowners engaged in regular trade and whose vessels carried mixed cargoes. Such vessels could be filled in fairly good times with more or less heavy cargo in the bottom and light cargo at the top. That was the position of the shipowner engaged in regular trade. But there was a certain class of shipowner engaged in such trades as the coal trade, which was the only export trade at this moment that showed any real increase. This clause in its operation would be to the advantage of certain shipowners whose vessels were constructed in a particular way to carry coal out and bring grain home. That class of vessel, and that alone, would benefit by this clause. They would not find that steamship owners generally were in favour of the clause or that they looked upon it as being to the advantage of those engaged in the general shipping trade. On the other hand, he did not think he was predicting too much when he suggested that shipbuilders would expect some shipbuilding orders for vessels specially designed to meet the requirements of this clause. The shipowners in the general trade were going to be subjected to the unfair competition of vessels constructed to meet this clause. The whole question of tonnage measurement was a very complex one, and he thought he was in order in pointing out that there had been a Committee which considered this question generally, presided over by his hon. friend the Member for Dulwich. It would be out of order to refer in detail to the work of that Committee, but such a clause as that now proposed formed no part whatever of its recommendations. Let him explain how this alteration in the system of tonnage measurement would work. He thought he was right in maintaining that the shipowners and shipbuilders were perfectly justified in taking the law as it stood and in trying to find out how; within the four corners of that law, they could build a ship whose dues paying tonnage would be as small as possible. What was the position of a vessel whose principal business it was to carry coal or any other heavy cargo such as pig iron? Of course they could not fill a ship with pig iron or coal or wheat in the same way as they could fill it with mixed cargo, because she would sink; therefore vessels only intended to carry coal were so constructed that the actual cargo space should not be larger than could be utilised. In some ships an unnecessarily large space was therefore set apart for the engine room, and for other parts for which there was no use, in order that the vessel might escape dues. There were many other ways in which a large amount of space was allowed to be deducted in order to reduce the net tonnage of the ship. Colliers already had their tonnage unreasonably reduced under various pretexts, and it was now proposed to give them more space for so-called water ballast, which, in many cases, would never be used as such. These spaces, which it was proposed under Clause 51 to deduct from the tonnage, were absolutely necessary for purposes of flotation. Whether a vessel was constructed to carry coal or grain, she must have a certain amount of empty space to give her the necessary buoyancy to keep her safely afloat. Those spaces it was now proposed to deduct, and he thought that was unreasonable. Looking at it perhaps from a rather selfish point of view, shipowners in the general cargo trade did not want to see certain of their competitors paying less money for their dock accommodation than they ought to do, because it came home to them that if others paid too little they would have to pay more. It was absolutely not the fact to say that shipowners in general were in favour of this clause of the Bill. Most of his shipbuilding friends were in favour of it for the reason he had stated. It was unfair that the owners of certain vessels should be benefited to the disadvantage of everybody else, and to the destruction of the revenue of the dock-owners. Perhaps he might be allowed to say that he did not regard this Bill even in other respects as much of an advantage to British shipowners. It contained several objectionable provisions. He objected strongly to Clause 51, because it was unfair between ship and ship, and unfair in regard to dock companies and pilots, and he did not think that it ought to become law.

*THE PARLIAMENTARY SECRETARY TO THE BOARD OF TRADE (Mr. KEARLEY, Devonport) said the hon. Gentleman opposite had reminded the House once more of what his objections were to the clause as it stood at the present moment in the Bill. The Bill proposed to increase the deductions for tonnage in three ways. It proposed to allow a deduction for the increased accommodation of the crew, for the storage of provisions and water, and in respect of the space used exclusively for water ballast. Since Clause 51 was drafted the dock owners and the pilots had placed their case before the President of the Board of Trade, and his right hon. friend had been very much influenced by the strength of the case they made out. He might point out that they never set forth their objections at all until the Bill had gone through Committee. It was not stated there that these deductions constituted a grievance to the dock owners and pilots, and when they did come and represent their case, it was impossible not to feel the injustice that might arise to them, and the Government had considered the whole position. First of all, let him say in regard to crew space deduction that it would be perfectly impossible under the Act as at present——

MR. BONAR LAW (Camberwell, Dulwich): I think the hon. Gentleman is wrong in saying that this clause affects crew space at all. Is he sure that it does?

*MR. KEARLEY: Perhaps the hon. Member will allow me to complete the observations I was about to make. I was about to argue that the principal Act at the present moment laid it down that any increased space for crew made voluntarily by a shipowner, even though in excess of the statutory requirements, is entitled to deduction.

MR. BONAR LAW: This clause has nothing to do with crew space. It is already conceded.

*MR. KEARLEY said that was his point. It was already conceded. What was absolutely new was the deduction for storage of provisions and water. When the deputation of dock owners and pilots came, his right hon. friend put to them the point: "What is your greatest grievance? What is the grievance that hits you hardest?" They said that the grievance that would hit them hardest would be the deduction in respect of space used for storage of provisions and water; and that was the concession the Government were prepared to make. In regard to the deduction of space for water ballast, that would be an encouragement to shipowners to keep their eye on the necessity for safety, and the Government wanted to encourage shipowners, by giving them the benefit of this deduction, to provide an adequate amount of water-ballast space, and he thought they would have to ask those Gentlemen who had criticised the clause adversely to accept the decision of the Government. There were Amendments down in the name of his hon. friend the Member for Merthyr Tydvil, two of which the Government proposed to accept, the effect being that they would forego the deduction as to space for provisions and water, and adhere to the remainder. That would be a substantial concession to the dock owners and pilots. In fact it would practically mean the full removal of the grievance expressed by the deputation, and at the same time it would leave something substantial to the shipowners, and he thought the compromise they were prepared to make was one which the House ought to accept.

MR. BRACE (Glamorganshire, S.) said he was not in agreement with the Secretary to the Board of Trade when he said that what the President of that Department had offered fairly met the case of the dock authorities and the pilots; but he was open to confess that it went a substantial way to meet what they had been arguing for, and, rather than continue the discussion, he was disposed to ask his hon. friend who had proposed this Amendment to withdraw it upon the undertaking given by the President of the Board of Trade that the concession of space used for the storage of provisions and water would be taken out of Clause 51. They would have an opportunity of discussing later the question of water ballast, and also the whole question of ship measurements, and therefore he contented himself with asking his hon. friend if he could see his way to withdraw the Amendment on the undertaking given by the President of the Board of Trade.

MR. JOYCE (Limerick) said he might be allowed to state what was the opinion of the pilots and how they were prepared to accept what had been called the reasonable compromise of the President of the Board of Trade. He could not say that he felt altogether satisfied with what the right hon. Gentleman had promised, but there was an old saying "Half a loaf is better than no bread." The President of the Board of Trade had met them in a very straightforward manner, and had stated to the House when the Bill was under consideration last, what he was prepared to do. As a direct representative of the pilots he was prepared to say that they would accept the compromise offered by the President of the Board of Trade, and this Amendment might now be withdrawn. When the question of water ballast came up he hoped they would have an opportunity of saying something more. As to the question of crew space he did not think there was a pilot or a harbour authority in the United Kingdom—and he happened to be a representative of both—that would object to any deductions for the comfort and convenience of the crew of a ship. He would ask the hon. Gentleman who moved the rejection of this clause to withdraw the Amendment.

SIR ROBERT ROPNER (Stockton) said a good deal had been said as to the benefits to be got from the Bill, and he was glad to say that even at this late hour the shipowners had been considered to some extent, and that the Bill did equalise, as far as foreign ships were concerned, the conditions when they sailed from this country. But the benefits were not all on one side. Under this Bill shipowners in future would have to provide a food scale for their men much over and above that which formerly had been supplied, and one which would largely increase the cost of sailing vessels. He was not going to dwell upon that. He did not at all agree that Clause 51 was an unfair one, but it was a matter of compromise. It seemed to be the wish of a great many Members that the space occupied by provisions and water should not be deducted in future. As a matter of compromise, and solely as a matter of compromise, and not as a matter of justice at all, he dared say the shipowners of this country would accept the proposition. With regard to water ballast, he thought hon. Members did not fully understand what had hitherto been the position. Water ballast had hitherto been carried nearly altogether in the bottom of the ship, and so far it had not been measured in the matter of tonnage; but lately it had been found that it was not always safe to have water ballast in that portion of the ship. Having it at the bottom of the ship made it laboursome and it contributed to unseaworthiness. Designs had been made and ships built providing for water ballast being carried in the sides of the ship or even on the decks. So far as the deduction of tonnage was concerned it was quite immaterial whether water ballast was carried in the the bottom, or the sides, or the top of the ship. This clause provided that the water ballast should be deducted in ascertaining the net tonnage of the vessel. The clause itself did not give any benefit to shipbuilders or shipowners, but it would materially add to the safety of the vessels if shipbuilders were allowed to build ships with space for water ballast otherwise than at the bottom of the ship. The proposal made in Clause 51 with regard to water ballast was a perfectly fair one to all concerned; it did no damage whatever either to pilots or to dockowners. He hoped the clause, as now proposed by the President of the Board of Trade, would be unanimously accepted.

*MR. CAIRNS (Newcastle-on-Tyne) said he did not wish to intervene at any length in the debate if there was a disposition to accept the clause as a settlement of the matter. The hon. Member for Grimsby had used strong phrases on behalf of the claims of the dock authorities; but he had not given the House any definite statement in support of his strong language. The hon. Member for the Kirkdale Division of Liverpool differentiated between one class of ships and another, where he should have taken a general view. He confessed that he could not follow him altogether; but he understood that he said that in the coal and the grain trade, vessels could not fill their holds with such cargo. He respectfully controverted that, for such vessels had to be able to load light grain as well as heavy, and in the case of some coals, notably Northumberland large steam coals, many vessels could not load their deadweight owing to their lightness. Such coals occupied fifty feet of the vessel's capacity to the ton weight. With the increase in the size of vessels the dock and harbour authorities had secured an enormous increase in dues, without having had to increase their accommodation in proportion. A vessel of 1,000 tons nett register, the earlier typical size, was 250 feet in length. The more modern vessel of 2,000 tons nett register was only some 330 feet in length; the quay space now required was thus only about 30 per cent. more, whilst the revenue from the tonnage had doubled. The increase in the depth of these larger vessels had been very small, and altogether the demand upon decently equipped docks or harbours had been small compared with their increased revenue. Further, the spaces provided for provisions and water were not revenue earning spaces, and should therefore not be taxed. The concession offered by the President of the Board of Trade was generous, but was at the expense of the shipowners. He thought it should be accepted and the House allowed to proceed to business.

*MR. EVELYN CECIL said that although he would have preferred that the right hon. Gentleman the President of the Board of Trade had agreed to further reduction, he begged leave to withdraw his Amendment on the understanding that the next Amendment, standing in the name of the hon. Member for Merthyr Tydvil, was accepted by the right hon. Gentleman as he had offered.

Amendment, by leave, withdrawn.

MR. D. A. THOMAS (Merthyr Tydvil) moved to omit the words "spaces used for the storage of provisions and water and" so as to confine the deductions to the spaces used for water ballast.

Amendment proposed—

"In page 26, lines 26 and 27, to leave out the words 'spaces used for the storage of provisions and water and.'"—(*Mr. D. A. Thomas.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*MR. AUSTIN TAYLOR (Liverpool, East Toxteth) said that before this Amendment on which the House was practically agreed passed he should like to make one or two observations in regard to what had been euphemistically called a compromise with the shipowners. He did not know if this was a compromise in favour of the shipowners, but if so, it reminded him of the story of the negro who, having been asked "What is a lottery?" said, "You take a ticket; he take the money; you get nothing." It was absurd to speak of this as being a concession to the shipowner. He understood that the House was willing that the space for provisions and water should not be deducted. So far as he was concerned. he left the responsibility of accepting this Amendment to the House. He took a broad view of the matter, because the question of water ballast did not affect him in any way whatever. If his hon. friend opposite could build steamers which were safer by carrying water ballast, and which would pay less dues than other ships, he thought it would be a very dog in the manger policy to oppose him. He maintained that the Amendment before the House was really no concession to the shipowners at present, although it might be in the future.

MR. CHARLES WILSON (Hull, W.) said he was afraid, much as he wished not to, that he would have to vote against this Amendment, because the whole object of the Bill was to improve the condition of the mercantile marine, and the condition of the men on these ships. Here was a case in which it would be greatly to the advantage of all the shipowners that they should be encouraged to carry their provisions and water in well-ventilated deck-houses—on the top of the ship—instead of down below in the after-peak or fore-peak, which were, as a rule, inconveniently situated and generally badly ventilated. If they allowed the shipowner to carry provisions for the crew and deduct the tonnage it would only amount to a very few tons on each ship—about three tons measurement would meet the average cases. If the Government thought that the owners of passenger ships were anxious to make an extreme use of these spaces to carry provisions for passengers, then he would leave the words in; but in the case of cargo ships which did not carry any passengers at all, they should be encouraged to put deck-houses on the top of the ship, and on the sides if they liked, in order to carry the provisions and water in a satisfactory manner.

Amendment agreed to.

Amendments proposed—

"In page 26, line 30, to leave out from the word 'words,' to end of line 32."—(*Mr. D. A. Thomas.*)

"In page 26, line 35, to leave out the word 'that.'"—(*Mr. D. A. Thomas.*)

"In page 26, line 35, after the word 'subsection,' to insert the words 'one of that section.'"—(*Mr. D. A. Thomas.*)

"In page 28, line 28, to leave out the words 'he is engaged,' and insert the words 'the seaman has signed the agreement.'"—(*Mr. Lloyd-George.*)

"In page 28, line 34, to leave out the words 'be made,' and insert the words 'begin at the expiration of one month from the date of the agreement with the crew and shall be paid.'"—(*Mr. Lloyd-George.*)

"In page 28, line 35, to leave out from the word 'of' to end of clause, and insert the words 'every subsequent month after the first month, and shall be paid only in respect of wages earned before the date of payment.'"—(*Mr. Lloyd-George.*)

*MR. L. HASLAM (Monmouth Boroughs) moved an Amendment to Clause 57 (master to give facilities to seamen for remitting wages), the effect of which was to provide that where the balance of wages due to a seaman was more than £10, and the seaman expressed to the master his desire to have facilities afforded to him for remitting, after the ship had left port, all or any part of the balance to a savings bank or near relative in whose favour an allotment note might be made, the master should give to the seaman all reasonable facilities for the purpose as regarded so much of the balance as was in excess of £10, but should be under no obligation to give the facilities while the ship was in port, if the sum would become payable before the ship left port, or otherwise than on condition that the seaman went to sea in the ship. He thought this proposal would be very valuable. It would be the first time in the history of legislation for merchant seamen that they would have some legal right to a portion of their wages. It was the thin edge of the wedge, and before long means might be found by which the seaman should have more control over his wages than at present. It was said that seamen were not to be trusted with their money, but he believed that if the seamen were trusted more and had more rights over their wages they would behave better and would prove more worthy to be trusted. A great deal of the desertion that took place at various ports was due to the fact that the master did not allow the men to have sufficient money, and then they got into the hands of crimps. He hoped that seamen would take full advantage of this clause, so that when they were discharged at the end of a voyage, there would not be a large sum of money paid them in cash which they might be liable to lose by falling into bad company.

Amendment proposed—

"In page 28, line 38, to leave out from the word 'seaman' to end of line 41, and to insert the words 'expresses to the master of the ship his desire to have facilities afforded to him for remitting, at any time after the ship has left port, all or any part of the balance to a savings bank, or to a near relative in whose favour an allotment note may be made, the master shall give to the seamen all reasonable facilities for so doing so far as regards so much of the balance as is in excess of ten pounds, but shall be under no obligation to give those facilities while the ship is in port if the sum will become payable before the ship leaves port, or otherwise than conditionally on the seamen going to sea in the ship'"—(*Mr. L. Haslam.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Mr. AUSTIN TAYLOR did not desire to express dissent from this Amendment; indeed, he congratulated the hon. Member upon the extremely successful manner in which he had welded into one so many Amendments which had been put down. But the opportunities of remitting when at sea and when the vessel was not in port could not be otherwise than limited, unless Marconi's wireless system of telegraphy was used. That however, was really a drafting criticism, and he had not a word to say against the spirit of the Amendment.

Mr. HAVELOCK WILSON (Middlesbrough) understood that what was aimed at by the Amendment was that only paper money should be used and transmitted to relatives of the seaman. The seaman would be given an order upon the owners which would be posted to the relatives and honoured after the vessel had put to sea. The hon. Member did not want the seaman to draw money in port, but he had to protect the interest of the shipowner by seeing that the money was not paid until after the vessel had gone to sea. A great hardship was very often inflicted on seamen in consequence of their being unable to draw part of the wages due to them for the purpose of sending home. He had known men with sixty or seventy pounds due to them as wages who had not been able to draw a penny because all money had to be drawn at the captain's office. The master frequently said he could not pay, but if they wanted any clothes he could send them to a tailor who would give them what they required, and the master frequently received 35 per cent. of the money so paid. What his hon. friend wanted was the money to be placed in a bank at home so that it could be drawn upon by the man if he wanted it.

Lord BALCARRES (Lancashire, Chorley) said in view of the statement of his hon. friend that he had no objection to this addition, he would suggest to the right hon. Gentleman the President of the Board of Trade that it was undesirable to leave any opportunity of conflict open. He would therefore ask him whether it might not be desirable to put in after the word "expresses" the words "in writing," so that there should be a definite record of the transaction when the application was made. If the insertion of those words did nothing else it would make a record of the transaction which would prevent subsequent conflicts, and that being so they were, in his humble judgment, desirable.

Lord R. CECIL (Marylebone, E.) asked what was the Government's opinion of this drafting, "after the ship has left port." The Government must recollect that although to people interested in shipping it might be simple, and no doubt was simple, this clause might finally have to be construed by a Court. Therefore, it behoved the House to see that what they meant to express was clearly stated. He did not see how one could remit at a time after the ship had left the port, though he quite understood the object of the words, which was that money should not be remitted until after the ship had left port. He wished to know if the Government were in accord with the hon. Member in this matter, or whether they did not think it would be wiser to add words which would make the meaning clearer.

The PRESIDENT of the BOARD of TRADE (Mr. Lloyd-George, Carnarvon Boroughs) said he was not quite sure that these were the best words for the object in view, but that object was perfectly clear, and what it meant was, that money should not be remitted to a sailor's home at a time when the ship was in port and thus give the man an inducement not to sail. These words were introduced as a safeguard against that, and to ensure that the money should be sent home after the ship had left port. There was no doubt that a man might be strongly tempted if he knew that there was money at home for him. However, he would consider whether the words were the best that could be devised to carry out the object they had in view, and if they were not, he would, if necessary, have an Amendment introduced into the Bill in another place.

MR. EVELYN CECIL said the right hon. Gentleman had not said a word in answer to the noble Lord as to the application being made in writing. It was essential that there should be no conflict after these applications were made as to what had taken place, and, therefore, it would appear desirable that these applications should be made in writing. It was a very simple matter, and when the right hon. Gentleman was considering the words of the Amendment he would suggest that he should also incorporate the words of the noble Lord.

*MR. CAIRNS pointed out that the seaman might omit to make the application in writing and thus put the master in the position of being able to refuse the seaman's request. They should not impose anything of a technical character upon the seaman, the neglect of which would injure his interest. The payment of these sums would follow lines already well understood between captain and crew. They would probably take the form of the usual order upon the owners to pay a given sum to the order of the seaman so many days after the vessel had left the foreign port.

SIR GILBERT PARKER (Gravesend) asked for some reason why the words of the noble Lord should not be inserted, for he saw no reason why they should not.

MR. LLOYD-GEORGE said he did not think they ought to call upon a sailor in a matter of this kind to act in the same way as an ordinary business man would do. They could not expect that. The ordinary way in which these matters were conducted was for a sailor to say "I want to send home some money. There is £15 owing to me for wages, let me have some to send home."

MR. BONAR LAW said he had no quarrel with the object of the hon. Member, which he thought was a good one, but he would like to point out that with allotment tickets at present the sailor had to sign them. He only asked the right hon. Gentleman whether, on further consideration, he did not think it better to have a written request.

Question put, and negatived.

Proposed words inserted.

Amendment proposed—

"In page 29, line 23, after the word 'Act,' to insert the words 'or which was in course of construction on the first day of July, 1906.'"—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted."

SIR ROBERT ROPNER thought the right hon. Gentleman must have made some mistake. Did he not, in fact, mean 1907?

MR. LLOYD-GEORGE said as the Amendment was originally drafted it was intended to apply to all ships constructed at the date of the passing of the Act. It was then pointed out to him that there were a number of ships which had been designed but not constructed; then the Government inserted this date as being the date when notice was given, and now any ship constructed would be constructed after due notice had been given.

SIR ROBERT ROPNER said that an ordinary tramp steamer laid down in July this year would be finished by January 1907. He thought if the right hon. Gentleman wished this to apply to ships under construction he should insert the date January 1907.

MR. LLOYD-GEORGE: I have no objection to that.

Amendment proposed to the proposed Amendment—

"To leave out the words 'July, 1906,' and to insert the words 'January, 1907.'"—(*Sir R. Ropner.*)

Amendment to proposed Amendment agreed to.

Amendment, as amended, agreed to.

Amendment proposed—

"In page 29, line 24, to leave out the word 'two,' and insert the word 'three.'"—(*Mr. Lloyd-George.*)

Amendment agreed to.

MR. HAVELOCK WILSON moved to leave out lines 28, 29, and 30. He could not understand why the President of the Board of Trade should desire in this Bill to give the lascars less accommodation than was given to European people. For many years in this House they had a great controversy, and the right hon. Gentleman himself took no mean part in it, about the lascar having the same accommodation as white men on British ships. Now, when they had a Merchant Shipping Bill it was proposed to give the lascar 72 cubic feet, whilst the white man was to have 120. That was a direct encouragement, he thought, to shipowners to prefer lascars to white men, and it was to the disadvantage of British seamen. He was a member of the Mercantile Marine Committee, before which they had some medical evidence, and the medical men were all of opinion that the lascar seaman really ought to have as much accommodation as a European, because, being a weak man, he required more ventilation. He put to the right hon. Gentleman in the early part of this year some Questions with regard to the deaths that occurred amongst lascars on board merchant ships, and it was surprising to find that so many died from consumption and diseases of the chest, largely due, in his opinion, to the fact that they had not sufficient accommodation. The distinction made between lascars and white men in this respect, he could only believe was due to the fact that some of the large shipping companies that carried lascar seamen wanted to have an advantage in this matter. They wanted to have the privilege of carrying lascars and treating them worse than they would treat a white crew. Seventy-two cubic feet was a very small space, but he could quite understand that in tropical climates it would be quite sufficient for lascars, because there very few people slept below decks in very hot weather. In cold climates, however, the men must live under cover, and it was a disgrace to herd them together in the manner they were herded together on board some of the large ships that carried lascar seamen. For that reason he desired to delete that part of the clause, and he had a further Amendment to move afterwards. He did not want to be unfair in any way to the lascar seamen, but he did think that they ought to be provided with ample and proper accommodation, and he thought those shipowners who carried lascar seamen ought to be reasonable enough to see that the lascars had ample and proper accommodation.

*MR. SPEAKER thought the best way of dealing with the matter, if he might recommend it to the hon. Gentleman, would be to leave out lines 28, 29 and 30 and to move to insert the words he proposed in order to raise the whole question.

MR. HAVELOCK WILSON said he would adopt the course suggested by Mr. Speaker. His proposal was that lascar seamen, whilst serving on board British ships, in latitudes beyond 35 degrees north and 35 degrees south, should be provided with the same amount of space in forecastles appropriated for their use as provided for Europeans, but when serving within tropical climates, that was, within the above-named latitudes, 72 cubic feet should be deemed sufficient space for each lascar seaman. There were very good grounds for proposing a clause of this kind, as he had already said that in tropical climates it did not matter very much if it was 72 cubic feet, because the men could sleep on deck and no hardship was inflicted, but in cold latitudes it was absolutely necessary that they should sleep under cover. There was a time, not many years ago, when the law prohibited the employment of lascars in latitudes higher than 35 degrees north or 35 degrees south, but by some means or other that had been altered. Under this Amendment, if the lascars came into cold climates they would have the same accommodation as the white men, and in tropical climates he would be quite satisfied if they had 72 cubic feet each.

MR. BRACE (Glamorganshire, S.) formally seconded the Amendment.

Amendment proposed—

"In page 29, to leave out lines 28, 29 and 30, and insert the words, 'lascar seamen whilst serving on board British ships in latitudes beyond thirty-five degrees north and thirty-five degrees south, shall be provided with the same amount of space in forecastles appropriated for their use as provided for Europeans, but when serving within tropical climates, that is, within the above-named latitudes, seventy-two cubic feet shall be deemed sufficient space for each Lascar seaman.' "—(*Mr. Havelock Wilson.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

*MR. KEARLEY said the effect of the hon. Gentleman's Amendment would be that in tropical climates the present cubical space allowed would suffice, but in cold climates the extended crew space provided by the Bill would apply to lascars. The hon. Gentleman argued that in tropical climates no objection could be raised to 72 cubic feet, but that it was a different matter altogether in cold climates. He was bound to say that that seemed to him to be rather a singular argument. He would have thought, if anything, the provision should have been extended in the reverse way, because if there was any need for increased accommodation, one would have thought it was more pressing in tropical climates than in colder climates. He would point out to the hon. Gentleman that the lascars were in fact under the protection of th Indian Government, who were perfectly well aware what was being done for the British seamen by this Bill in the matter of space accommodation, etc.

MR. HAVELOCK WILSON: Would the hon. Gentleman mind my correcting him on this point? It has been decided in the Courts that all seamen employed on vessels under the Imperial law are subject to the Imperial law, and have nothing to do with the Indian Government.

*MR. KEARLEY said that was not the point. The point decided by the Courts was that the lascar was entitled to seventy-two feet. The Courts did not lay down that any future Bill should have application to lascars.

MR. HAVELOCK WILSON said the point was that the shipowners contended that the lascar seaman was subject to the Indian law. He contended that as they were on British registered ships they were subject to the Imperial law. The Court decided in his favour.

*MR. KEARLEY said the Court decided that in the absence of any express definition to the contrary, a lascar came within the definition of seaman, and consequently he was entitled to seventy-two feet. Notwithstanding that, his point was that the lascar in practice was under the protection of the Indian Government. If the Indian Government thought it necessary to amend their law to give the lascar the full benefit of this Act they could do so. His Majesty's Government were in communication with the Indian Government with regard to this Bill, and their opinion was that the Indian Government should have the opportunity of legislating on the subject. His Majesty's Government thought it would be better to leave it in that way. They were communicating with the Indian Government on this particular point, and had already had some correspondence with regard to the Bill itself. He hoped, therefore, his hon. friend would not press this Amendment.

*MR. BRACE hoped the hon. Member would press this Amendment to a division. Representing a constituency which brought him in close touch with sailors, he could inform the House that there was a general opinion prevailing now that British shipowners were disposed to give preferential treatment to lascars. This Bill was making a provision which would be a direct inducement for the employment of lascars at the expense of British sailors. They did not object to the employment of lascars as such, but if lascars were to be employed, then they must give their own people a fair chance, and the only fair opportunity they could have in equal competition was that the lascars should be employed under exactly the same conditions as British seamen. He was persuaded that if this clause as it stood at present was accepted without such words being added as those proposed by the hon. Member for Middlesbrough, they would have British seamen placed at a disadvantage.

*Mr. REES (Montgomery Boroughs) did not think that the proposal they were discussing could be regarded as preferential treatment for the lascars. Wherever the lascar was employed there was no doubt that he was a most valuable auxiliary, and what in the name of common sense did they want to force upon that unhappy man more cubic contents of air than he wanted. [Cries of "Oh, oh."] He hoped hon. Members opposite would bear with him a little, because he happened to know something about the lascars. He repeated that wherever the lascar was employed he was a most valuable auxiliary, and it was absolutely absurd to press upon him regulations which were only suited to people of a totally different temperament and colour. It was perfectly well known to any hon. Member acquainted with the East that the amount of cubic air-space which was considered necessary for a European was regarded as an abominable draught by a lascar or other residents in the East. If a lascar was not to be the judge of the amount of air that was good for him then the hon. Member who had just been interrupting him was not the best judge of what government was best for Ireland. It was absurd for hon. Members who were not acquainted with the life of Orientals and their habits to say that they ought in this way to educate them up to the European standard. Surely the conditions under which they lived and moved and had their being were such as should be fairly taken into account in dealing with this or any other matter. He was not pleading for any preferential treatment for the lascar, but he thought the hon. Member for Glamorganshire had put this question on a rather false footing in treating it in the way he had done. As the hon. Member opposite championed the cause of the British sailor, perhaps he might be allowed for the moment to speak for the lascar.

Mr. HAVELOCK WILSON asked if the hon. Member said that lascars did not want this accommodation?

*Mr. REES said he did say that. Nor was it a fair thing that any British industry should be forced to provide unnecessary space for lascars, or any other foreigners. He felt sure that those hon. Members who were pressing this matter would subsequently regret their action. As the hon. Member opposite had made himself the spokesman for the British sailor, he was taking the part of the lascar who did his work alongside the British sailor, and did it very well. When hon. Members had had more experience of lascars they would agree with him, he was sure, that it was not for them to say what breathing space the lascar required. He hoped, therefore, that this Amendment would not be pressed. If it were a case of British sailor or lascar, he would vote for the British sailor, but that was not the case. The lascar was needed, where the British sailor could not work, and the extended shipping trade we enjoyed in consequence of our having lascars also to draw upon, enlarged the field of employment of the British sailor.

*Mr. JOHN WARD (Stoke-on-Trent) thought the House would agree with him when he said that the speech of the hon. Member opposite was a defence of alien labour in preference to British labour. They all knew the attitude he adopted in regard to another subject which would be debated later on; therefore the hon. Member for Montgomery Boroughs ought not to be taken as an unprejudiced witness in this business because he had always, whenever any discussions had taken place in this House, supported the alien as against his own countrymen. They should not take his remarks too seriously. He knew perfectly well that at the present time our mercantile marine was finding employment for a great many foreigners and the number was increasing every day. It had become to those who took an interest in these things a very serious question if they desired to keep the Britisher predominant upon British ships. He thought by this Bill they were giving a very serious advantage to foreigners in competition with British sailors. Lascars could be housed on board ship with about half the space required for Europeans, and naturally, if this clause was passed, shipowners would employ the men who took up the least space on board the ships; consequently the British seamen would stand no chance in competition with these aliens. Then it should not be forgotten that the lascar would work for considerably less money than a British sailor, and that was a very serious thing to begin with. The employment of lascars hampered the British seamen not only on the economic ground as affecting his wages, but also with regard to the accommodation to be provided. The lascar was given a double advantage; there could not possibly be two opinions about this. He thought the proposition that shipowners should be compelled to supply the same amount of space for one man as another on board ship, whether he was a Britisher or a lascar, was a simple, sensible proposition, and any other proposal than that suggested by the hon. Member for Middlesbrough as a solution would place our own countrymen at a serious disadvantage in maintaining their supremacy and position in our mercantile marine.

MR. CHARLES WILSON pointed out to the hon. Member for Stoke that ships, as a rule, took three lascars to one Englishman, and if they placed the limit at 72 feet they had to provide a space of 216 cubic feet for three lascars as against 123 feet for one Englishman. Although he sympathised with what had been said in regard to lascars he thought they must consider the interests of the big mail companies in this matter. It would be exceedingly difficult on those liners to give the amount of space which was now asked for.

MR. BECKETT (Yorkshire, N.R., Whitby) confessed that he had listened attentively to the argument of the hon. Gentleman opposite, and he must say that so far he was quite unconvinced. One hon. Member had told them that the lascar had a rooted objection to fresh air. He could not agree that that was the case, seeing that they had been told by an hon. Member below the gangway that the lascar on the first opportunity, after getting into tropical climates, usually slept on deck. That did not look as though he had any rooted objection to fresh air. If the hon. Member opposite had told them that the lascar had a rooted objection to fresh water, perhaps he should have understood him. He remained wholly unconvinced by what he had heard, and he could not help thinking that there was a great deal to be said for the idea held by the hon. Member below the gangway that everything should be done to encourage British seamen. So far as the debate had gone, he was rather inclined to vote for the Amendment.

MR. CAIRNS said that the Amendment of the hon. Member for Middlesborough, as it stood, appeared to be entirely unworkable. It demanded 75 feet for lascars when in the tropics and 120 when in the northerly latitudes. In the case of a vessel coming from India to Liverpool, part of the voyage would be in tropical climates and part in temperate. Would the accommodation be constructed on the telescopic principle, so as to enlarge and contract during the voyage? If the hon. Member's object was to prevent lascars being taken at all, would it not be better for him to state it frankly? The clause had been further urged as contributing to the comfort of lascars. If that were the plea, how could they reconcile the smaller cubic space in the tropics where it was hot and uncomfortable with the 120 feet in the northerly latitudes where it was much cooler? The clause, he considered, was quite impracticable in application. Personally, it did not affect him at all, as he was not engaged in the trades where lascars were employed. It was all the more desirable, therefore, that he should extend full and reasonable consideration to the rights of those who were concerned in the trade.

SIR FREDERICK BANBURY (City of London) said it gave him great pleasure to support His Majesty's Government on this occasion. He would point out to hon. Gentlemen below the gangway that lascars were British subjects and not aliens, and, therefore, the question they were now discussing was not whether foreigners or British seamen should be employed, but whether British subjects should be given an equal chance. That was a very simple thing, and he thought the House must remember that in dealing with a great Empire it must treat all the subjects of the Empire fairly and in the same degree. [AN HON. MEMBER: And give equal space.] There was no use giving extra space to people who did not want it. He spoke with a little diffidence but, so far as he knew, these lascars were mainly employed on mail steamers, and the question arose whether or not it would be possible to give them additional space, and secondly, whether it was really necessary for the health of the lascars that this additional space should be given. An hon. Gentleman opposite, who had had great experience in India and other hot climates, had told them that lascars, as a matter of fact, did not like fresh air. He did not know whether that was so or not, but he had not heard any argument to show that the space allotted to the lascars had resulted in any epidemic or injured the health of the lascars. The first thing to prove was that the health of the lascars had been injured, but, so far as he had gathered the argument of hon. Members below the gangway, it had been that unless the same space was given to the lascars as was given to British sailors, the tendency of employers would be to employ lascars and not English sailors. He ventured to think that was at the bottom of the whole question. It was because hon. Gentleman wanted to make it impossible for the owners of mail steamers to employ lascars that they had raised this question about crew space. It was not out of consideration for the lascars, but out of consideration for somebody else. Under these circumstances it seemed to him that a reasonable attitude had been taken up by His Majesty's Government [Cries of "Oh."] It must not be forgotten that they had now a great Empire, and that our subjects in different parts of the Empire had different ideas and wants, and that they were not built on the same line. They could not lay down a hard and fast line, and say that they must legislate for Englishmen in the same way as for our subjects in India. It seemed to him that the Government had taken the right course. They said, "The lascar is fairly treated, and we have no reason to suppose that, *qua* lascar, he is unfairly treated. Therefore we do not accept the Amendment of the hon. Gentleman." It seemed to him that that was a fair and reasonable attitude to take up and he congratulated His Majesty's Government upon having adopted it.

MR. JENKINS (Chatham) said there was one side of this question which had not been considered so seriously as it ought to have been. He referred to the sanitary aspect. One hon. Member had treated this question in a way which, in his opinion, was not creditable to him when he made a comparison between two classes of individuals—Britishers and lascars. He and his friends admitted that lascars were Britishers in every sense. It had been his lot to go into the forecastle of a ship where lascars were. He had gone at midnight and when a vessel had been in collision. He had had to go to the fore part of the ship through the forecastle, and the smells arising from that place were anything but satisfactory. In his opinion the condition of things was most disgraceful. Lascars were not the only persons on board a British ship. There were Englishmen there as quartermasters, engineers, captains and mates, and other officers. Having regard to the possibility of disease breaking out on board ship, caused by the stifling atmosphere in the confined spaces of the forecastle, it behoved the Government to see that the lives of the people were protected, even though the lascars themselves did not, as they were told, require this space. He repeated that to him it was deplorable, and if evidence was required he would remind the House that not very long ago the hon. Member for Middlesbrough submitted very pertinent questions to the President of the Board of Trade on the subject. He had before him the reply as to the number of Asiatic seamen reported to have died during the year 1905. The figures were, from bronchitis, five; pleurisy, two; pneumonia, thirty-two; phthisis, thirty-two. [An HON. MEMBER: Out of how many?] Out of about 2,000. Some Members of the House were perhaps medical experts, and he would ask what was the advice they gave in regard to the treatment of these diseases in this country. Plenty of open space and plenty of fresh air was what they recommended. It was a matter of impossibility to expect that lascars could be a healthy body of men when they were confined to places which were no more sanitary than some of the compounds in South Africa.

MR. AUSTIN TAYLOR said the comments that had fallen from the hon. Member for Chatham suggested a matter upon which more information was required. The hon. Member for Middlesbrough had not yet informed the House what he meant to cover by this Amendment. He presumed that what he really meant by the Amendment was that no vessel leaving the shores of this country should give less accommodation than 120 cubic feet per man for lascar crews, and that when the ship got to another latitude an alteration in the arrangements might be made and the space reduced to 72 cubic feet per man.

MR. HAVELOCK WILSON: May I explain to the hon. Gentleman that at the present time there are ships running on the coast of India which only give the lascar 36 cubic feet, whereas other ships have to give 72 cubic feet.

*MR. AUSTIN TAYLOR said he did not think that met his point. Here was an Amendment which proposed an iron rule for all ships carrying lascar crews, and it said that a vessel in a certain latitude, about 35 degrees north, must give 120 cubic feet, but when the ship entered another latitude she might immediately alter the arrangements and for some mysterious reason reduce that space. He did not think that proposals should be put before the House unless they were intelligible and capable of being carried out. He submitted that it was not possible for shipowners to arrange their vessels in such a way as to give the telescopic accommodation suggested by the Amendment. On the general question of lascars discussed in the course of the debate that day he should like to go to an authority, who was quite unimpeachable in the part of the house in which the hon. Member sat. A Commission or Committee was appointed by the Board of Trade in 1903 to report on certain conditions affecting the mercantile marine, and of that Committee the hon. Member for Middlesborough was a member, and he signed the Report. The Committee had before them numerous lascars whom they closely questioned as to their food and accommodation. He had looked through the evidence and he found that all the lascars confessed themselves, by some mysterious unanimity—he did not know how it was produced—to be perfectly satisfied both with the food and with the accommodation. He presumed it was all wrong, and that they were really most discontented people, and that the hon. Member really represented them in this House. It was evident that he himself had been imposed upon, because he signed the Report which gave quite a different complexion to the matter.

MR. HAVELOCK WILSON: Does the hon. Gentleman say that I signed a Report recommending that lascars should have less accommodation than white men?

*MR. AUSTIN TAYLOR said he would read the exact words. He had not the least intention of misrepresenting anybody. The Report of the Committee said—

> "Lascars and other Asiatics who are British subjects stand on a different footing from foreigners. . . . We have been able to obtain the evidence of a shipping agent of Bombay and of several lascars employed in British ships. We think that in addition to their claim as British subjects, they have also some claim to employment, because British vessels have displaced the native trading vessels. Lascars are in most cases hereditary sailors, and have special qualifications for work as firemen in hot climates. They are temperate, and those who came before us made a most favourable impression upon us. The evidence shows that they make most amenable and contented crews. In consequence, their employment as firemen has grown almost universal in the tropics, and they are also largely employed in vessels trading between ports within the tropics and the United Kingdom."

The hon. Gentleman did not insist upon a paragraph being put in the Report calling attention to the unsatisfactory condition in regard to cubic space, and the alteration he now suggested.

MR. HAVELOCK WILSON: The Report recognises that the space should be altered to 120 cubic feet. Read it all, and then you will see what was recommended.

*MR. AUSTIN TAYLOR thought that had nothing to do with the case in point. The Report further said—

> "They are so contented and so anxious to retain their situations in British ships that it is not easy to be sure whether that service entails any hardship on them. We believe, however, that there is no reason to think that many of them do, in any appreciable degree, suffer when employed in the colder climates to the north of the Suez Canal, or even in the Atlantic trade."

He thought that that Report showed that the present treatment and accommodation given in the ships was satisfactory to the Asiatics, and he did not think that the House should interfere with the arrangement which had been made with the Indian Government. That remark applied as well to food as to accommodation. They must take into consideration the whole of the conditions. Of course, that was extremely difficult to do, especially when dealing with seamen who were employed on our ships, and on the ships of other countries, which insisted on white labour only being employed. When it was suggested by a Commission in America that the shipowners should withdraw their Asiatic crews, the American Government was told that the shipowners would lay their boats up.

MR. BONAR LAW said that like his hon. friend he rose to support the Government on this matter. He would, however, point out the difference of view between the hon. Member who introduced the Amendment and everyone who had spoken in support of it. The hon. Member for Merthyr Tydvil put it entirely on the ground that he wished lascars to be well treated, whereas another hon. Gentleman at once altered the whole point of view and stated that they were not badly treated. His hon. friend said that when the lascars declared that they did not want additional accommodation, he would make them take it whether they wanted it or not. They all desired that the lascars should be well treated in a fair and equal way. The difficulty might be got rid of if he pointed out that the lascars under this clause would have exactly the same accommodation as was now given to seamen of every nationality. They would be no worse in future than British seamen were now. Therefore, they would be under no hardship. There was no great hardship in putting the restrictions contained in the clause upon them. He supported this Bill, chiefly because it protected the shipping trade against unfair competition. It was perfectly fair for the Labour Party to say that if the shipowner was to be protected they wanted the men to be protected. He was entirely in sympathy with that, and he would do anything that he possibly could which would increase the number of British seamen on our ships. But he would point out that there was no trade in the world which it was more difficult to protect than the shipping trade. America, which was the most highly protected country in the world, had absolutely failed to protect its shipping, and the reason was obvious. If restrictions were imposed which would fall financially against the interests of the shipowners the conditions of the seamen and others employed on board ship would not be improved; because if the conditions of the seamen were not improved other men would be employed instead of British seamen. He was certain that nobody would contend for a moment that it would not be disastrous to British shipowners and British seamen if they did anything which would give an advantage, say, to the German liners.

MR. HAVELOCK WILSON: Is the hon. Gentleman aware of the fact that on all steamship lines subsidised by the German Government lascars are not allowed?

MR. BONAR LAW said he was aware of the fact that on the German liners lascars were not employed; but that did not affect the argument. Would the hon. Gentleman wish to say that the lascars should be prevented from being employed on British ships?

MR. HAVELOCK WILSON: Not in tropical climates.

MR. BONAR LAW said the hon. Gentleman wanted to make a distinction between British ships employed in tropical waters alone and those engaged in trading between the United Kingdom and tropical countries. If a ship was only employed in trading in the tropics it was true that only one class of accommodation would be necessary for the crew; but if a ship was employed in another trade between the tropics and the United Kingdom there must be accommodation for British seamen as well as for lascars. From every point of view he thought it would be extremely undesirable to adopt the Amendment.

MR. CREAN (Cork, S.E.) said he rose to support the Amendment. He could not understand why the President of the Board of Trade should refuse to accept it. Did he make any distinction between foreigners and Englishmen who were engaged in factories in England? It might be said that the competition between foreigners and Britishers in the mercantile marine was different from the competition between English workmen in factories and foreigners; but he contended that as foreign goods were sent in here, duty free, British workmen had to compete against foreigners on severer terms in our factories than in the mercantile marine. He did not see why any distinction should be made in this measure between a Chinaman or any other Eastern man and a man resident in the United Kingdom. If the regulation for the cubic feet space for a white man mentioned in the regulations was insisted upon, it simply sanctioned the exclusion of white men and assisted the employers to engage on board ship foreigners at the cheapest rate. Hon. Members above the gangway were in the habit of quoting Blue-books, but generally only those portions of them which suited their purposes. They never quoted the evidence of expert minds. He would quote the evidence of an expert who had no personal object in view in giving his evidence. Dr. Collingridge, medical officer for London, gave evidence before the Commission of 1902. A question was asked him in regard to the accommodation on board ship for seamen—

> "Do you think that lascars can do with less accommodation as regards space than British seamen, or do you think that they should have the same accommodation—I mean as a sanitary matter?"

The answer was—

> "As a purely sanitary matter, and not merely as a humanitarian matter, I think they should have more space."

When asked why, Dr. Collingridge said that it was a well-known fact that although lascars in themselves were clean, there was an unpleasant smell given off from their bodies. There was no question as to that fact, and therefore there was no reason whatever why they should have less space. That was the evidence of an expert which should receive consideration from this House. He was not a shipowner and was only talking from a sanitary point of view. He stated that the lascars from a sanitary point of view not only required as much accommodation as British sailors but double, in consquence of the exhalations from their bodies. He asked the President of the Board to accept the Amendment.

As an Irishman representing a sea-board constituency which supplied a great number of recruits to the mercantile marine and the Navy, he would not be doing his duty if he did not see that British sailors were treated fairly as compared with the lascars or any other men who worked on board ship. He did not see any reason for excluding Irishmen from British ships. This clause if it remained unamended would practically exclude Irishmen from British ships. If an employer found he could apportion more space to cargo and less to hands, he would do so and exclude the men who took up too much space. What would be said in this country if manufacturers were allowed to import foreign labour and pack them into cubicles in their factories? What would happen if they tried to impose the same conditions on the people in the British Islands as they did on board ship? He did not think the President of the Board of Trade would try an experiment like that, and he was quite wrong if he thought he could afford to make different conditions for labour from the East when he was not applying the same rules to factories where they employed labour from all parts of the world. When they employed a man in this country they did not ask whether he was an Asiatic or an Englishman, but he had to work under the same conditions as the others who were working in that particular trade. He was sorry that the President of the Board of Trade was making this a Party question, and his conscience would not permit him to act with him. He hoped, therefore, that he would let the House decide for itself, and that he would give his Party absolute freedom in the matter.

MR. GODFREY BARING (Isle of Wight) said Section 1 of Clause 58 provides 128 cubic feet of air space for a European, but an exception was made in sub-section 3 in the case of a lascar who was kept to an air space of 72 cubic feet. But if a British shipowner engaged an Asiatic such as a Chinaman or a Japanese, he was liable to have to provide him with the full air space of 120 feet. But if he was a lascar he had only to provide the smaller space of 72 cubic feet. Therefore they were in this extraordinary position that if men had the misfortune to be lascars they were to have 72 cubic feet, whilst the Chinaman or a Japanese must have the full air space provided for him. That appeared to him to require some explanation, because it would appear that air space was somewhat dear in the British Empire.

SIR GILBERT PARKER understood that it was the case that they required at least two lascars to do the work of one white sailor. If that was the case and the Amendment of his hon. friend was passed, it would practically prohibit shipowners from employing lascars at all, because it would be impossible to provide the amount of space required. He was quite sympathetic with the idea of giving the lascar any amount of air space which was necessary, and he should be strongly moved to vote in favour of such an Amendment. He should, however, like the Amendment to be put upon a proper basis. It was not moved because it presumed to deal with hygiene and the comfort and health of the lascar, but it was really aimed at the prohibition of the employment of lascars in British ships. If an Amendment dealing alone with hygiene and health had been brought forward, he would have given it his most serious and earnest support, but this Amendment had not that object; it was an insidious attempt practically to prohibit lascars from being employed on British ships. He felt that it was exceedingly unfortunate that the Amendment was not put upon a broader basis, because it would have got more support if it had not been so much directed at an object different from that which might appear on first reading.

*MR. MADDISON (Burnley) said if the hon. Member for Gravesend had been in the House during the last few minutes he would have heard the opinion quoted of the Medical Officer of Health for London upon this very point. They had been talking for some time about what was good for the lascar and one hon. Member had assured the House that lascars did not require fresh air and did not want this, that and the other.

*MR. REES: I said they did not want so much air.

*MR. MADDISON said Eastern people lived their own life in their own way, and he thought it was extremely foolish to interfere with them. Of course, that only applied when they were in their own country, where different climatic conditions prevailed, but when the lascar came into northern latitudes, the conditions were different. Then he thought the question ought to be approached not merely from an Eastern but from a Northern point of view. He supported the Amendment as one who was totally opposed to the exclusion of foreigners from British ships. He had had the privilege of differing from the hon. Member for Middlesbrough upon this point before, but he saw no reason at all why a foreigner should not be allowed to sail in a British ship just as they allowed him to work in a British factory. Some Members of the Opposition had argued that foreigners ought to be kept out of the

British mercantile marine just because they were foreigners, but he could not support a proposition of that kind. The hon. Member for Middlesbrough had said that these lascars had to sail through cold climates and they should not have less, nor more, but the same cubic space as the British seaman had. Surely a man ought not to be penalised because he happened to be a citizen of the British Empire and to have worse conditions than a Dutchman or a Spaniard; neither should British seamen undergo, as Dr. Collingwood showed they did undergo, a serious and grave danger from overcrowding on ships of lascars who thus became a menace to the health of British seamen. They had heard some talk about lascars not wanting air space. Was there a Member present not familiar with the same thing? When they were endeavouring to get rid of a slum, who had not heard of the healthy old woman, eighty years of age, who had been living in the slum all her life, and had enjoyed good health, and therefore it was said they ought not to disturb her at all? Every sanitary reformer had encountered the same sort of argument as they were now listening to in the case of the lascar. The hon. Member for Dulwich had pointed out that this Amendment had been supported by hon. Members opposite from the point of view of exclusion rather than the point of view of health, and that he supported this Bill because it gave a certain amount of protection to the shipping industry which he would like to see extended to other industries. He thought there were some serious blots in this Bill from that side of it, and he would ask the President of the Board of Trade to seriously consider this Amendment. He had not the slightest sympathy with the proposal to punish a foreigner if he overloaded his ship at a foreign port when coming to a British port, just as if a foreigner ought not to have the liberty to sink if he thought fit. He had not the slightest sympathy with that, and if a foreigner liked to overload his ship that was his business and not ours. Having taken that strong view in the interests of shipowners on one side, surely they ought to put the seamen on British ships in northern latitudes on the same level. He wanted to protest against the notion that when they made good conditions of labour on board ship they handicapped the British shipowner, because the whole history of industry showed that that nation did the best in trade which gave the best conditions for the men in its employ, and there was no more sound argument than that.

MR. BONAR LAW said the argument was that for particular trades the lascars were necessarily better fitted than British seamen, and of course, if they were prohibited that would seriously affect British shipping.

*MR. MADDISON said it all came to one point, namely, the charge that increasing space for lascars was handicapping the British shipowner. That was the argument, and if the hon. Member did not mean that he had no case against the Amendment. He denied altogether that the giving of reasonable conditions handicapped British shipping, because it was only by giving the best conditions and securing the safety of life on our ships that they could hope to get or retain the supremacy of the world in regard to shipping. Although he candidly admitted that speeches had been made which made him go into the Lobby in support of this Amendment with some little reluctance, he repudiated all such notions as those which would exclude foreigners from our service, and he wanted the shipowners to have perfect liberty to engage foreigners. He thought however, that the hon. Member for Middlesbrough was only asking by this Amendment for equality of treatment between the workmen on a ship, and by supporting him he did not commit himself in the least degree to the policy of the exclusion of foreigners.

MR. LLOYD-GEORGE said he could not follow his hon. friend the Member for Burnley into a discussion of the question whether the foreigner ought to be allowed to commit suicide by overloading his ship if he liked, but he would like the House to realise exactly what the effect of this Amendment would be. He did not think the hon. Member for Middlesbrough concealed from the House what he intended, and he certainly did not conceal his intention from the Committee. He admitted that if they demanded an increase of accommodation for lascars on British ships it meant practically that they would prohibit the employment of lascars on all ships leaving British waters for the East. He wanted to confine them to the East, and he would like the House to consider twice before it inflicted this tremendous disability upon British shipping, more especially in view of the keen competition to which shipping was subjected at the present moment.

Mr. HAVELOCK WILSON said the right hon. Gentleman was doing him an injustice. He had always contended that the Britisher was subject to as much competition as anybody else, but his point was that it was unfair to bring the lascar in to knock the Britisher out of employment with low wages and special treatment in regard to accommodation.

Mr. LLOYD-GEORGE said his hon. friend was now dealing with another issue. Practically they had got to employ two lascars for every British sailor. That was what the Committee found, and they had in the Appendices to the Report several cases where they did employ, practically, two lascars for every Englishman. If they had 120 feet for a British sailor it would mean 240 feet for every two lascars as far as British shipping was concerned, and under that state of things British ships could not employ lascars at all. The object of this Amendment was to exclude lascars from employment in British ships altogether. The hon. Member's Amendment meant that they could employ lascars in Oriental waters with 72 feet of air space accommodation, but that was exactly where the lascars wanted 120 feet. In the Red Sea, for instance, where they wanted as much air as they possibly could get, the lascar, under this Amendment, was to have 72 feet, but when he came to our temperate climate, where they generally wanted to huddle together for warmth, they insisted upon their getting 120 feet. That was what he should call compulsory bronchitis. Let them see how it would work. It was a proposal which was ludicrous in itself. He could understand an Amendment saying "you shall not employ lascars in British ships," but to ask the House of Commons to carry this Amendment seemed to him to be really trifling with the common sense of the House. It meant that the lascar was to be absolutely free in the East, but the moment he came to Suez every lascar belonging to the crew was to be discharged, and a British crew taken on. Now, where were they going to get a fresh crew? If they wanted to kill British shipping altogether he thought this was the best way they could do it. They were at the present moment subject to the keenest competition, and the Germans were making a very special effort in regard to the shipping industry, and he was not sure that they were not subsidised. At any rate he knew that they were making a colossal effort, and if the lascar was excluded from British ships the House would be making a most handsome present to German shipping. If that was what the House of Commons wanted to do this was the opportunity, and no better opportunity had ever been afforded for that purpose. He should like to ask the hon. Member if the lascars had ever asked for this extra accommodation. On the contrary, he knew that they had protested against it for very good reasons, because they knew that if such an Amendment as this were carried it would exclude them from service on British ships, where they were much better off than they would be at home.

Mr. HAVELOCK WILSON reminded the right hon. Gentleman that he did not always argue like that.

Mr. LLOYD-GEORGE said that at any rate he was now talking with a full sense of his responsibility. This was a very serious problem, because if we began to meddle unduly with our finest industry it would be a very sad day for this country. He asserted that the lascars were better paid, and had better accommodation than they could get in their own homes. What was more, they petitioned the House against such a proposal some time ago, and he had another petition from them in which they stated that they would not like to exchange the sweet fresh air which came into their forecastle for the air in any town or city. They said that on board ship there were no drains, sewers, graveyards, pigstyes, and no carpets filled with dust, and, what was more, they claimed that they were their own municipal officers. They also said in their petition that the vessels in which they sailed were like palaces, and their quarters were far superior to what they could hope to obtain for themselves on land, because they had a living room, a bedroom, and a kitchen, all rolled into one. But hon. Members came to the House and said "give them 120 feet of air space." Not a single lascar had asked for it. Why were the lascars to be confined to the Indian Ocean? They had as much right here as we had in India, and a very much better right too. We had practically destroyed the industry of the lascars, who used to have the coasting trade of India, which was now done by British ships Was it fair that a House in which they were not represented should allow 40,000 of these people to starve, as might be the result of this Amendment?

MR. BARNES (Glasgow, Blackfriars) said in spite of the positive and emphatic speech of the President of the Board of Trade he went with the hon. Member for Middlesbrough in favour of this Amendment, which, in his opinion, was eminently reasonable. He regarded the Amendment from the point of view of getting for the lascar the same advantages from the hygienic point of view as were enjoyed by Britishers. His view was that if he was brought into these latitudes he should have the same amount of air space as English seamen had. That was a fair proposition which involved the necessity of those who rejected it showing good cause against it. One hon. Member seemed to claim that the Almighty had entered into some kind of arrangement whereby lascars required less air than Britishers. He did not agree. It was also said that the lascars did not want this and had not asked for it, but if hon. Members looked back upon the industrial history of this country they would find that that class of argument had been used with regard to all the Factory Acts of the last fifty years. All those Acts, which had benefited not only the factory operatives, but, by making them more efficient, had benefited the whole community, were all petitioned against in the same way as this proposal had been. The hon. Member for Dulwich no doubt thought his argument was convincing, but he (Mr. Barnes) took the opposite view. He thought if shipowners brought men into this country in association with English seamen the conditions he imposed upon them should be such as to conduce not only to their health but to the health of all those brought in contact with them. That, he thought, was a convincing argument in favour of this Amendment. He appealed to the right hon. Gentleman to leave this matter in the hands of hon. Members, in which case he believed the decision of the House would be in favour of the Amendment.

LORD R. CECIL said the hon. Member for Burnley was quite unable to make a speech on this topic without an attack on Members of the Opposition whom he accused of desiring the exclusion of foreigners from British ships. There had been no such argument put forward. The proposition that everything legitimate should be done to encourage the employment of British seamen on British ships was a wholly different thing. But the hon. Member for Dulwich had admirably disposed of the protectionist argument by his lucid exposition of the fundamental principles on which free trade rested. The hygienic argument rested on an allegation of Dr. Collingridge, who did not like the smell of the lascars, and on a statement that in 1905 some seventy lascars died of diseases of the respiratory organs. But it was stated in evidence before the Mercantile Marine Committee that from 40,000 to 60,000 lascars were employed in our shipping, and that the death rate among them was lower than among European seamen engaged in the mercantile marine. It was said they must protect the weak. He was always receiving new instruction in the principles of democracy from this interesting Parliament. Here were large numbers of able-bodied working men, on whom certain Members would confer the franchise in India, saying in the strongest way they could that they did not desire what was asked for them, and that it would be contrary to their habits and would greatly handicap them in earning their livelihood; but all this was to be set aside because the hon. Member for Middlesbrough knew better what was good for them. He should support the Government in the view that any grandmotherly interference with the shipping trade of this country was a thing not to be encouraged unless there was really some substantial reason behind it.

MR. SEDDON (Lancashire, Newton) said alarm had been created in his mind by the speech of the President of the Board of Trade. If his memory served him aright, the right hon. Gentleman was a melancholy example of the proverb that "evil communications corrupt good manners." His speeches, he believed, were in a very different tone when he sat on the Opposition side of the House. During the course of his speech on the present occasion, however, the right hon. Gentleman had stated that it would curtail the employment of lascars, and then he went on to picture—what he would not like to see personally—the decline and fall of the shipping trade of Great Britain, if anything were done to give the lascar equal accommodation with the British seaman. Were they to understand that the supremacy of British shipping rested upon the injustice inflicted upon the lascar, and that the commercial enterprise of gentlemen who so ably represented the shipping industry counted for nothing? Were they to understand that the shipping trade must be kept up and maintain its supremacy irrespective of the claims either of decency or of health? He could put no other construction upon the argument of the right hon. Gentleman. What became of those eloquent speeches the right hon. Gentleman had delivered relative to cheap labour in another quarter of the Empire? When it was a question of introducing cheap labour to save an industry in a new part of the Empire the right hon. Gentleman waxed eloquent with indignation against the mere thought of allowing capitalists to use cheap labour for their own profit against those persons who had suffered, and some of whose friends had died, for the interest of the Empire. Were they to take it as a new doctrine of Liberalism that the end justified the means? The hon. Member for the Blackfriars Division of Glasgow had given an instance of the sort of evidence that had been brought forward, and upon which the right hon. Gentleman rested his case. Hon. Members below the gangway on that side knew what means were used by interested persons against those whom they employed to get them to do their bidding. They knew from historical records and from what happened to-day that when men wanted to get Parliamentary evidence pressure was employed, and that pressure had very often a powerful effect in getting those people to do things which they would conscientiously object to do if their bread and butter were not jeopardised. He appealed to the President of the Board of Trade in the interests of his own good name—in the interests of his former self, as well as in the interests of the health of the sailors of this country—that he should leave this an open question, and allow hon. Members to vote as they thought fit. It had not yet been seriously disputed that lack of accommodation tended to disease among Britishers, lascars, and indeed any members of the human race. The claim that lascars should have the same cubic space as Britishers was not only one in the interests of the lascars themselves, but in the interests of the British public as well. He had yet to learn that lascars when in our ports were quarantined during their sojourn here. In Liverpool lascars were allowed to roam freely in the crowded streets. He was not saying that they should not do so, but he was trying to point out that if they were going to permit these men, by the lack of cubic space on board ship, to jeopardise their own health, and then mix freely with the British public, it was creating another evil. The hon. Member for East Marylebone had stated that his reading of the medical evidence was based upon the assumption that the medical officer of health naturally had a dislike to the smell——

LORD R. CECIL: What I said was that that was the only reason he gave.

MR. SEDDON said he drew another inference from the reason given. He thought the doctor had more interest in health and hygiene than resentment against lascars; and, as he read the evidence, the doctor asked for more cubic space primarily in the interest of human health, and he incidentally called attention to the smell that came from the lascar. On these grounds he would appeal to the right hon. Gentleman for the sake of his former reputation—for which many of them had a great regard—to leave this an open question, so that those who felt that the lascar was a human being, and had an equal right to as much space as any other man, could vote according to their consciences, and then he thought the Amendment would stand a good chance of being carried.

MR. MARKHAM (Nottinghamshire, Mansfield) said he certainly would have voted for this Amendment if it had provided that lascar seamen should have the same amount of space as was appropriated to the use of Europeans. But as the Amendment was drawn he ventured to say it had a purely nonsensical character, inasmuch as it did not require that the same amount of space should be given to the lascars in the tropics. On many occasions when he had crossed the tropics he had observed that, owing to the limited amount of deck space, where there was a large number of third class passengers, lascars had to go below. If it were necessary in the interest of health that Europeans should have 120 cubic feet, he could not for the life of him see why a lascar should only have seventy-two feet. If the hon. Gentleman would alter his Amendment by omitting the restrictions relating to the tropics, and say that every man should have the same amount of space, he would be prepared to support the Amendment, but in its present form he should certainly not vote for or against it. The remarks of the hon. Member for Burnley that he considered the proposals of the President of the Board came dangerously near to protection, seemed to him to be carrying the arguments in regard to protection to a ridiculous length. If British ships came to these ports and the British shipowner had to conform to certain regulations, surely it was only equitable that a foreigner coming to our ports should have to do likewise.

MR. HAVELOCK WILSON said it was impossible for him to accede to his hon. friend's request, because if they were to put in the Bill that the lascars under all circumstances were to have 120 feet of space, it would deny the lascars employment in tropical climates, and that was a thing he did not want to do.

SIR ROBERT ROPNER hoped the President of the Board of Trade would not take to heart too much what the hon. Gentleman for the Newton Division had said, but that on the contrary he would maintain the traditions of his office. He would like to compliment the right hon. Gentleman on his speech which showed such an imperialistic spirit. There was no doubt whatever that the Amendment was simply intended to make it impossible for shipowners hereafter to employ lascars in the trade in which they were now being employed. On this point he would like to say a few words. Some hon. Members perhaps might think he was personally interested in this matter, but he would like to say that these lascars were only employed by liners, and that he was not interested in any liners, and had not a farthing of interest in the question, as a shipowner; but he knew as a fact that if it were made impossible hereafter to employ these lascars, the result would be that German ships would take the place of British ships. It could not possibly be the intention of any hon. Member to limit the employment of British traders, but that would be the result unquestionably if this Amendment were carried, and, therefore, in the interests of British seamen, he pleaded that no Amendment of this sort should be passed. He hoped that what had been said would convince the House that the Amendment was not one which would benefit even British sailors. He could quite understand that, situated as the hon. Member was, he would like to do them good, but the proposal would really damage the people the hon. Member represented and in the long run injure the interests of the British sailor.

Question put.

The House divided :—Ayes, 248 ; Noes, 105. (Division List No. 411.)

AYES.

Acland, Francis Dyke
Acland,-Hood,Rt.Hn.SirAlex.F
Adkins, W. Ryland D.
Ainsworth, John Stirling
Ashley, W. W.
Ashton, Thomas Gair
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Balcarres, Lord
Barker, John
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Baring, Godfrey (Isle of Wight)
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Beckett, Hon. Gervase
Bellairs, Carlyon
Bennett, E. N.
Berridge, T. H. D.
Bethell, SirJ.H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black,ArthurW. (Bedfordshire)
Bolton, T. D. (Derbyshire,N.E.
Boulton, A. C. F. (Ramsey)
Bowles, G. Stewart
Boyle, Sir Edward
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L.(Lancs., Leigh)
Bryce,Rt.Hn.James(Aberdeen)
Bryce, J.A.(Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Bull, Sir William James
Burns, Rt. Hon. John
Buxton, Rt. Hn. Sydney Chas.
Cairns, Robert
Cameron, Robert
Campbell-Bannerman, Sir H.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Causton,Rt.Hn.RichardKnight
Cave, George
Cavendish, Rt.Hn.Victor C.W.
Cawley, Sir Frederick
Cecil, Lord R. (Marylebone, E.)
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clough, William
Coats, SirT.Glen(Renfrew, W.)
Corbett, A. Cameron (Glasgow)
Corbett,CH.(Sussex,E.Grinst'd
Cory, Clifford John
Cotton, Sir H. J. S.
Courthope, G. Loyd
Cox, Harold
Craig, Chas.Curtis(Antrim,S.)
Crombie, John William
Davies,David (MontgomeryCo.
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, John A. (Inverness-sh.)
Duckworth, James
Duncan, J. H. (York, Otley)
Duncan, Robert (Lanark,Govn
Ellis, Rt. Hon. John Edward
Erskine, David C.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, George Denison (York)
Fell, Arthur
Ferens, T. R.
Ferguson, R. C. Munro
Fiennes, Hon. Eustace
Finch, Rt. Hon. George H.
Findlay, Alexander
Forster, Henry William
Fowler, Rt. Hon. Sir Henry
Fuller, John Michael F.
Fullerton, Hugh
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Gladstone,Rt.Hn.Herbert John
Glendinning, R. G.
Goddard, Daniel Ford
Gordon, SirW.Evans-(T'rHam.
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon, Sir W. Brampton
Hamilton, Marquess of
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Heaton, John Henniker
Hedges, A. Paget
Helmsley, Viscount
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Hobart, Sir Robert
Hobhouse, Charles E. H.
Horniman, Emslie John
Hunt, Rowland
Hyde, Clarendon
Isaacs, Rufus Daniel
Jackson, R. S.
Jardine, Sir J.
Kearley, Hudson E.
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lambert, George
Lambton, Hon. Frederick Wm.
Lamont, Norman
Law, Andrew Bonar (Dulwich)
Layland-Barratt, Francis
Leese, SirJosephF.(Accrington
Lever, A.Levy(Essex,Harwich)
Lever, W. H. (Cheshire,Wirral)
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lockwood, Rt.Hn.Lt.-Col.A.R.
Lough, Thomas
Lupton, Arnold
Macdonald, J.M.(FalkirkB'ghs)
Mackarness, Frederic C.
Maclean, Donald
M'Callum, John M.
M'Crae, George
M'Kenna, Reginald
M'Micking, Major G.
Manfield, Harry (Northants)
Marnham, F. J.
Massie, J.
Menzies, Walter
Micklem, Nathaniel
Mildmay, Francis Bingham
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Morgan, G. Hay (Cornwall)
Morley, Rt. Hon. John
Morpeth, Viscount
Morton, Alpheus Cleophas
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholson, Chas. N. (Doncaster
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Neill, Hon. Robert Torrens
Parker, Sir Gilbert (Gravesend)
Partington, Oswald
Pearce, William (Limehouse)
Pearson, W.H.M. (Suffolk, Eye
Philipps, J.Wynford(Pembroke
Philipps, Owen C. (Pembroke)
Priestley, W.E.B.(Bradford, E.
Radford, G. H.
Rainy, A. Rolland
Randles, Sir John Scurrah
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Ridsdale, E. A.
Robertson, Rt.Hn. E. (Dundee
Robertson, SirG.Scott(Bradf'rd

Robson, Sir William Snowdon
Rogers, F. E. Newman
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Salter, Arthur Clavell
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, Sir C. E. (Manchester)
Sears, J. E.
Shaw, Rt. Hn. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Stanger, H. Y.
Stewart-Smith, D. (Kendal)
Stone, Sir Benjamin
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sutherland, J. E.
Talbot, Lord E. (Chichester)
Taylor, Austin (East Toxteth)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Tillett, Louis John
Tomkinson, James
Toulmin, George
Valentia, Viscount
Verney, F. W.
Vincent, Col. Sir C. E. Howard
Walker, H. De R. (Leicester)
Wallace, Robert
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. C.H.W. (Hull, W.
Wilson, Henry J. (York, W.R.)
Wilson, P. W. (St. Pancras, S.)
Winfrey, R.
Wood, T. M'Kinnon
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, Rt. Hon. George
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Abraham, Wm. (Cork, N.E.)
Abraham, William (Rhondda)
Ambrose, Robert
Baker, Joseph A. (Finsbury, E.
Barnes, G. N.
Barry, E. (Cork, S.)
Bell, Richard
Burt, Rt. Hon. Thomas
Byles, William Pollard
Cleland, J. W.
Clynes, J. R.
Collins, Sir Wm. J. (S. Pancras, W
Condon, Thomas Joseph
Crean, Eugene
Cremer, William Randal
Crooks, William
Cross, Alexander
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Fenwick, Charles
Ffrench, Peter
Flavin, Michael Joseph
Flynn, James Christopher
Gill, A. H.
Glover, Thomas
Gwynn, Stephen Lucius
Hall, Frederick
Hardie, J. Keir (Merthyr Tydvil)
Haslam, James (Derbyshire)
Hay, Hon. Claude George
Hayden, John Patrick
Henderson, Arthur (Durham)
Higham, John Sharp
Hogan, Michael
Hudson, Walter
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kelley, George D.
Kennedy, Vincent Paul
Law, Hugh A. (Donegal, W.)
Lundon, W.
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Killop, W.
Maddison, Frederick
Meagher, Michael
Mooney, J. J.
Murphy, John
Nicholls, George
Nolan, Joseph
O'Brien, Kendal (Tipperary, Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Connor, T. P. (Liverpool)
O'Donnell, T. (Kerry, W.)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Kelly, James (Roscommon, N
O'Malley, William
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Pickersgill, Edward Hare
Price, C. E. (Edinb'gh, Central)
Redmond, John E. (Waterford,
Redmond, William (Clare)
Richards, T.F. (Wolverh'mpt'n
Richardson, A.
Roberts, G. H. (Norwich)
Robertson, J. M. (Tyneside)
Rowlands, J.
Rutherford, V. H. (Brentford)
Seddon, J.
Shackleton, David James
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Steadman, W. C.
Stewart, Halley (Greenock)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Thomas, David Alfred (Merthyr
Vivian, Henry
Wadsworth, J.
Walton, Joseph (Barnsley)
Ward, John (Stoke-upon-Trent)
Ward, W. Dudley (Southampton
Wardle, George J.
White, Patrick (Meath, North)
Williams, J. (Glamorgan)
Wilson, John (Durham, Mid.)
Wilson, W. T. (Westhoughton)
Young, Samuel

TELLERS FOR THE NOES—Mr. Havelock Wilson and Mr. Brace.

SIR ROBERT ROPNER rose to move an Amendment to provide that Clause 58 should not come into force till the first day of July, 1908.

MR. LLOYD-GEORGE said he had an Amendment on the Paper later on which he hoped would meet the hon. Member's wish. It was that the Act should not come into operation till 1st June, 1907.

SIR ROBERT ROPNER: Do you accept my Amendment?

MR. LLOYD-GEORGE replied in the negative.

MR. HAVELOCK WILSON moved to add to Clause 59 a provision that—

> "Where a seaman who has been lawfully engaged and has received under his agreement an advance note after negotiating his advance note, wilfully or through misconduct fails to join his ship or deserts therefrom before the note becomes payable, he shall, on summary conviction, be liable to a fine not exceeding five pounds, or, at the discretion of the Court, to imprisonment for not exceeding twenty-one days, but nothing in this section shall take away or limit any remedy by action or by summary procedure before justices which any person would otherwise have in respect of the negotiation of the advance note or which an owner or master would otherwise have for breach of contract."

He thought this was a very necessary addition to the clause, and he hoped the President of the Board of Trade would accept it. The shipowners and the members of the Sailors' and Firemen's Union were in agreement that there was a class of men in our seaport towns who were "dry-land sailors." They very seldom went to sea except to escape the police. Occasionally they might take a vogage, but usually they hung about the Mercantile Marine Office trying to rob the men who had just been discharged from their ships. Those men engaged sometimes on a ship for a voyage, got an advance note, cashed it, and then did not turn up when the ship was about to sail. That was a very serious injury to honest, respectable men, and he thought that it was in the interest of both shipowners and seamen that there should be a clause of the kind which he proposed to compel a man who entered into an agreement to fulfil that agreement. The class of men he wanted to get at were the fellows who deliberately made a practice of entering into an agreement, obtaining an advance note, and then not turning up. He believed that between £200,000 and £300,000 was lost every year in the seaports in the United Kingdom by people who had cashed advance notes to that class of men. But the most serious thing resulting from these men not fulfilling their contracts was that when a ship was about to sail, the captain had to take on board what were called "pier head jumpers." On a Departmental Committee which sat on this matter, the shipowners and he were in agreement. He believed that if the President of the Board of Trade would accept his Amendment it would be a means of checking these "turnpike sailors," and the sooner they got rid of them the better it would be for the mercantile marine. Shipowners sometimes spoke about sailors getting drunk and not joining their ship. It was the "turnpike sailor" who was responsible for that. Of course a man might miss his vessel by misfortune, or by failing to catch a train, but he had the opportunity of explaining that before the magistrate, and he was sure that no magistrate would convict a man if he could give a reasonable excuse for failing to join his ship. This matter had been discussed by the Sailors' and Firemen's Union, which had approved of the clause, and he hoped that his hon. friend would have no hesitation in accepting it.

MR. LLOYD-GEORGE: I accept.

Amendment proposed—

> "In page 29, line 41, at end, to add the words 'Where a seaman who has been lawfully engaged and has received under his agreement an advance note, after negotiating his advance note wilfully or through misconduct fails to join his ship or deserts therefrom before the note becomes payable, he shall, on summary conviction, be liable to a fine not exceeding five pounds, or, at the discretion of the court, to imprisonment for not exceeding twenty-one days, but nothing in this section shall take away or limit any remedy by action or by summary procedure before justices which any person would otherwise have in the respect of the negotiation of the advance note, or which an owner or master would otherwise have for breach of contract."—(*Mr. Havelock Wilson.*)

Question, "That those words be there inserted in the Bill," put, and agreed to.

Amendments proposed—

> "In page 31, line 10, to leave out the words 'of owners' liability.'"—(*Mr. Lloyd-George.*)
>
> "In page 31, line 11, after the word 'Acts,' to insert the words 'of the liability of owners of ships, docks, or canals, and of harbour authorities, and conservancy authorities.'"—(*Mr. Lloyd-George.*)
>
> "In page 33, line 4, after the word 'kingdom,' to insert the words 'from any port out of the United Kingdom'."—(*Mr. Lloyd-George.*)

Amendments agreed to.

Amendment proposed—

"In page 33, line 34, at end, to insert the words '(2) The Board of Trade shall annually lay before both Houses of Parliament a special Report stating the cases in which they have exercised their powers under this section during the preceding year, and the grounds upon which they have acted in each case.'"—(*Mr. Lloyd-George.*)

MR. HAVELOCK WILSON: Does not this clause give a very large dispensing power to the Board of Trade?

MR. LLOYD-GEORGE: This Amendment is proposed in pursuance of a pledge given in Committee upstairs.

Question, "That those words be there inserted in the Bill," put, and agreed to.

MR. HAVELOCK WILSON said he had an Amendment to propose to follow that of the President of the Board of Trade, just adopted. He maintained that the powers thereby given to the President of the Board of Trade and his colleagues were altogether too wide, and he proposed to add the proviso—

"No exemption from specified requirements contained in or prescribed in pursuance of the Merchant Shipping Acts, shall dispense with the observance of any such requirements unless sanction of Parliament has been obtained by Order in Council, and such Order to lie upon the Table of the House of Commons at least thirty days." '

He could well believe that they might have a President of the Board of Trade who was not quite as sympathetic as the right hon. Gentleman, and who might take it into his head to suspend some section of the Merchant Shipping Act for the benefit of his friends. He was not satisfied as to the alterations which had been made by a Departmental Committee in the load line. The public did not know who constituted that Committee; but he was informed that by the alteration made in the load line the shipowners were able to carry about 2,000,000 tons more cargo than before. [Cries of "No, no."] He did not know how many ships we had, but he knew that in consequence of this change of free board many vessels were able to carry between 400 and 500 tons more of cargo than before. He wished to ensure that what happened in regard to the load line should not happen in this case through entrusting the Department with the right to make any departure from the Act without the consent of the House of Commons. He knew that the right hon. Gentleman would argue that there must be some elasticity and that they could not wait till the House of Commons changed the law. But his proposition was that before they altered the law the House of Commons ought to know something about it. He did not wish to say anything against the Board of Trade in regard to this dispensing power, but he thought the House of Commons ought to know something about it before it was exercised. By the provisions of the Bill the Board of Trade claimed power to exempt any ship from the whole of the clauses of the Merchant Shipping Acts, including the clauses which dealt with matters concerning life and limb. He did not think it was a wise thing to entrust such a power to a Department, and he said this with all due deference to the Permanent Secretary, the Under Secretaries, and the other valuable officials of the Board of Trade. It was one of the best Departments we had, but he was not prepared as a Member of that House to consent to any Department having the right to suspend an Act of Parliament or dispense with an Act of Parliament without the matter first being brought under the notice of the House. He therefore proposed in his Amendment that if they sought such powers they should be embodied in an Order in Council which should lie upon the Table of the House for at least thirty days. He did not think that was unreasonable, and he thought his shipowning friends ought to support it. They might at some time get a Labour President of the Board of Trade, with some very extravagant views, and if he were to suspend the Act without coming to the House of Commons the shipowners would come down in a body and want to know how it was that the House of Commons had no knowledge of what had happened. Their attention would then be called to the fact that the President would be acting under this dispensing power.

MR. SUMMERBELL seconded, and said he sympathised with the view of the hon. Member in regard to what had happened in respect to the load line, and thought that if they were going to have a repetition of such action the House ought to exercise some authority. He had himself been appealed to for information as to how the alteration of the load line came about, but he had been unable to tell people how it happened because he did not know at the time. If there was a possibility of a similar occurrence in regard to the Merchant Shipping Acts he thought they ought to lay down regulations to prevent it.

Amendment proposed—

"In page 33, line 34, at end, to add, 'No exemption from specified requirements contained in or prescribed in pursuance of the Merchant Shipping Acts, shall dispense with the observance of any such requirements unless sanction of Parliament has been obtained by Order in Council, and such Order to lie upon the Table of the House of Commons at least thirty days'.'"—(*Mr. Havelock Wilson.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. LLOYD-GEORGE said the question of the load line had nothing whatever to do with the dispensing power of the Board of Trade in regard to the Merchant Shipping Acts, but what was done was under the load line section which gave power to revise. He could not help thinking his hon. friends had not read the section before making up their minds to press the Amendment. It seemed to be imagined that a general power was given to the Board of Trade to dispense with the powers and provisions of an Act of Parliament. That was not the case. The clause merely provided that in a particular case where special circumstances rendered it necessary the Board should be enabled to dispense with some of the provisions of the Act on condition that something else was done as effective as or more effective than literal compliance with the Act, That condition, he thought, furnished an ample guarantee. When the dispensing power was exercised a full report would be laid on the Table of the House, and the House could challenge the conduct of the Board, but it would be unreasonable to ask the Board to wait forty or fifty days before exercising their dispensing power in each case.

Mr. C. DUNCAN (Barrow-in-Furness) said it seemed to him that the President of the Board of Trade had in no way met the Amendment or the speech of the hon. Member for Middlesbrough. The hon. Member asked for an Order in Council which should lie on the Table for thirty days. Did the President of the Board of Trade wish them to assume that any great change was going to be made in the shipping industry in regard to which there would be any hardship in imposing such a condition? If one looked at the words of the section carefully it appeared that the Board of Trade might exempt "any" ship, and he agreed with the hon. Member for Middlesbrough that there was some danger, because "any" ship meant "every" ship. Therefore he thought that the limitation that the hon. Member suggested was an eminently reasonable one, because the exception might some day become the rule, and inasmuch as there was some slight suspicion as to the nature of the exemptions or alterations to be made, it seemed to him that nothing could be lost by this reasonable Amendment which would simply enable any alteration to be challenged by the House. It was provided that the Board of Trade might make an alteration if it was satisfied. but what about the House of Commons? Surely the House of Commons ought to be satisfied before alterations were made.

*Mr. AUSTIN TAYLOR thought that the last speaker had exaggerated the scope of the clause. Any action taken by the Board of Trade under this clause which amounted to their dispensing with the general provisions of the Acts, would be clearly contradictory to the general provisions of the clause, and he was sure that no such action would be taken. He should like, while generally supporting this dispensing power, to give an emphatic denial in regard to the alleged increase of tonnage in the mercantile marine owing to the changes that had been made in the freeboard rules. These statements were made very carelessly. The hon. Member said that the mercantile marine tonnage would be increased by one-fifth, or 2,000,000 tons, under these rules.

Mr. HAVELOCK WILSON said he meant that during the course of the year 2,000,000 tons more cargo would be carried in consequence of the alterations.

*MR. AUSTIN TAYLOR thought that 2,000,000 tons was an over-estimate of the increase in the mercantile marine net tonnage; 300,000 tons would be the outside figure.

*MR. CAIRNS said that if he regarded the powers to be vested in the Board of Trade from the same point of view as that from which they were regarded by the hon. Member for Middlesbrough, he would have joined him in supporting this Amendment. He thought that after the explanation of the right hon. Gentleman that the load line did not come under this provision, the clause might be accepted. He had himself put an Amendment down in Committee to meet an exceptional case, but he withdrew it upon the explanation of the President of the Board of Trade that the present clause gave the Board of Trade discretionary powers to deal with the matter.

MR. CLYNES (Manchester, N.E.) asked if the right hon. Gentleman would explain what the purpose was of this dispensing power. Was it to be used in the case of any ship, because that meant every ship?

MR. LLOYD-GEORGE said that if in a particular case the master could not get at the moment every article required by the schedule, and he came to the Board of Trade and said "we cannot give you *this*, but we can give *this* which is much better," it was obvious that they could not wait for forty days while the Order in Council was considered by the House. It was for that reason these powers were required.

MR. BONAR LAW said it was to the advantage of everybody that the Board of Trade should have power to meet such a case as that which the right hon. Gentleman had just indicated. He pointed out that a sufficient safeguard was to be found in the fact that if an exception was made somebody would be bound to hear of it, and the adjournment of the House could be moved, and if the exception was not in accordance with the general ideas of the House the matter would be put right.

Amendment, by leave, withdrawn.

SIR ROBERT ROPNER moved to leave out from Clause 71, "may if they think fit," and to insert "shall." He thought the House would at once see that it was eminently desirable that this should be agreed to in order to avoid passing legislation that had not been fully considered. He admitted that the right hon. Gentleman had been desirous of meeting the views of the shipowners and the sailors, but in the future there might be Presidents of the Board of Trade who were not so anxious as the right hon. Gentleman to assist them. He thought it desirable, therefore, to say that the Board of Trade, under this Bill, should be required to have advisory committees if it was thought to be in anybody's interest to have them.

Amendment proposed—

"In page 33, line 35 to leave out the words 'may if they think fit,' and to insert the word 'shall.'"—(*Sir Robert Ropner.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. LLOYD-GEORGE said he could not possibly accept the Amendment. It would amount to setting up a statutory committee without any responsibility to Parliament, but with power to override the Board of Trade. That would be a very serious innovation.

Amendment negatived.

Amendment proposed—

"In page 36, line 6, to leave out the word 'January,' and insert the word 'June.'"—(*Mr. Lloyd-George.*)

Question proposed, "That the word 'January' stand part of the Bill."

MR. HAVELOCK WILSON asked the reason for the change.

MR. LLOYD-GEORGE said the meaning was simple. When the Bill was brought in it was supposed that it would have been passed by August. It was obvious now that it could not be passed before January.

Question put, and negatived.

Proposed word there inserted.

MR. HAVELOCK WILSON, in moving an Amendment to the schedule setting forth the scale of provisions, to provide that the salt beef should be issued exclusive of bone, said that if hon. Members could see some of the meat put on board some of the ships they would be in favour of the Amendment.

Amendment proposed—

"In page 37, column 5, after the word 'beef,' to insert the words '(weight exclusive of bone).'"—(*Mr. Havelock Wilson.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. KEARLEY said the schedule had been drawn up on the assumption that the meat would contain a small proportion of bone.

And, it being a quarter past Eight of the clock, and leave having been given to move the Adjournment of the House under Standing Order No. 10, Further Proceeding was postponed without Question put.

ADJOURNMENT—CHINESE IN THE TRANSVAAL.

MR. LEHMANN, in pursuance of leave, rose to move the Adjournment of the House.

MR. CLOUGH (Yorkshire, W.R., Skipton): On a point of order, Sir. Is it competent at this time for anyone to move to exclude all strangers?

*MR SPEAKER: Yes, If any hon. Member espies strangers I must put the question that strangers must withdraw.

MR BYLES (Salford, N.): I espy strangers.

Motion made, and Question put, "That strangers be ordered to withdraw."

The House divided:—Ayes, 25; Noes, 326, (Division List No. 412)

AYES.

Allen, Charles P. (Stroud)
Ashley, W. W.
Beauchamp, E.
Chance, Frederick William
Channing, Sir Francis Allston
Clough, William
Crean, Eugene
Davies, David(Montgomery Co.
Duncan, J. H. (York, Otley)
Fiennes, Hon. Eustace
Gooch, George Peabody
Harmsworth, Cecil B. (Worc'r)
Harvey, A. G. C. (Rochdale)
Hobart, Sir Robert
Kennedy, Vincent Paul
Lever, W. H. (Cheshire, Wirral
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Nuttall, Harry
Pearson, W.H.M.(Suffolk, Eye)
Rainy, A. Rolland
Rees, J. D.
Renton, Major Leslie
Walker, H. De R. (Leicester)
Walker, Col. W.H.(Lancashire)

TELLERS FOR THE AYES—Mr. Byles and Sir Howard Vincent.

NOES.

Abraham, Wm. (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Acland-Hood, Rt.Hn.SirAlexF
Ainsworth, John Stirling
Ambrose, Robert
Arkwright, John Stanhope
Asquith, Rt. Hn. HerbertHenry
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balcarres, Lord
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barry, E. (Cork, S.)
Beck, A. Cecil
Beckett, Hon. Gervase
Bell, Richard
Bellairs, Carlyon
Belloc, Hilaire Joseph Peter R.
Benn, W. (T'w'rHamlets,S.Geo
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, T. R. (Essex, Maldon)
Bignold, Sir Arthur
Billson, Alfred
Black, ArthurW.(Bedfordshire)
Bolton, T. D. (Derbyshire,N.E.
Bottomley, Horatio
Boulton, A. C. F. (Ramsay)
Bowles, G. Stewart
Boyle, Sir Edward
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L. (Lancs., Leigh
Bryce, J. A.(Inverness Burghs)
Buckmaster, Stanley O.
Bull, Sir William James
Burdett-Coutts, W.
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Carlile, E. Hildred
Cave, George
Cavendish, Rt.Hn.Victor C.W.
Cawley, Sir Frederick
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Cleland, J. W.
Clynes, J. R.
Coats, SirT.Glen(Renfrew, W.)
Collins, SirWm.J.(S.Pancras,W
Condon, Thomas Joseph
Corbett, CH.(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Courthope, G. Loyd
Cox, Harold

Craig, Chas. Curtis (Antrim, S.)
Craik, Sir Henry
Cremer, William Randal
Crombie, John William
Crooks, William
Crosfield, A. H.
Cross, Alexander
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, John A. (Inverness-sh.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duckworth, James
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Ellis, Rt. Hon. John Edward
Erskine, David C.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fell, Arthur
Ferens, T. R.
Ffrench, Peter
Finch, Rt. Hon. George H.
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Forster, Henry William
Foster, Rt. Hon. Sir Walter
Fowler, Rt. Hon. Sir Henry
Fuller, John Michael F.
Fullerton, Hugh
Gardner, Ernest (Berks, East)
Gibb, James (Harrow)
Gibbs, G. A. (Bristol, West)
Gill, A. H.
Ginnell, L.
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gordon, Sir W. Evans-(T'r Ham.
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Hall, Frederick
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harrison-Broadley, Col. H. B.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hedges, A. Paget
Helmsley, Viscount
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Hobhouse, Charles E. H.
Hogan, Michael
Holland, Sir William Henry
Horniman, Emslie John
Houston, Robert Paterson

Hudson, Walter
Isaacs, Rufus Daniel
Jackson, R. S.
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonsh.)
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Keswick, William
Kimber, Sir Henry
Kincaid-Smith, Captain
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lockwood, Rt. Hn. Lt.-Col. A. R.
Lough, Thomas
Lowe, Sir Francis William
Lundon, W.
Lupton, Arnold
Macdonald, J. M. (Falkirk B'ghs)
Mackarness, Frederic C.
Maclean, Donald
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Kean, John
M'Kenna, Reginald
M'Killop, W.
Maddison, Frederick
Manfield, Harry (Northants)
Markham, Arthur Basil
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Meysey-Thompson, E. C.
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Mooney, J. J.
Morley, Rt. Hon. John
Morpeth, Viscount
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Myer, Horatio
Newnes, F. (Notts, Bassetlaw)
Newnes, Sir George (Swansea)
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
O'Brien, Kendal (Tipperary, Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)

O'Connor, T. P. (Liverpool)
O'Donnell, T. (Kerry, W.)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.
O'Malley, William
O'Shaughnessy, P. J.
O'Shee, James John
Parker, Sir Gilbert (Gravesend)
Parker, James (Halifax)
Partington, Oswald
Paulton, James Mellor
Pearce, Robert (Staffs., Leek)
Pearce, William (Limehouse)
Pease, Herbert Pike (Darlington
Pease, J. A. (Saffron Walden)
Pickersgill, Edward Hare
Price, C. E. (Edinb'gh, Central)
Priestley, W. E. B. (Bradford, E.
Radford, G. H.
Randles, Sir John Scurrah
Raphael, Herbert H.
Rawlinson, John Frederick Peel
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rendall, Athelstan
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Sir G. Scott (Bradf'rd
Robson, Sir William Snowdon
Rogers, F. E. Newman
Ropner, Colonel Sir Robert
Runciman, Walter
Rutherford, V. H. (Brentford)
Salter, Arthur Clavell
Samuel, Herbert L. (Cleveland)
Schwann, Sir C. E. (Manchester)
Sears, J. E.
Seddon, J.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Soames, Arthur Wellesley
Stanger, H. Y.
Steadman, W. C.
Stewart, Halley (Greenock)
Stone, Sir Benjamin
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Talbot, Lord E. (Chichester)
Taylor, Austin (East Toxteth)
Taylor John W. (Durham)
Thomas, Sir A. (Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thomasson, Franklin
Thompson, J. W. H. (Somerset, E
Tillett, Louis John

Tomkinson, James
Toulmin, George
Trevelyan, Charles Philips
Valentia, Viscount
Verney, F. W.
Vivian, Henry
Walters, John Tudor
Wadsworth, J.
Walton, Sir John L.(Leeds, S.)
Walton, Joseph (Barnsley)
Ward,John (Stoke-upon-Trent)
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason,John Cathcart(Orkney)
Waterlow, D. S.
Watt, H. Anderson
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whiteley, George (York, W.R.)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. C.H.W. (Hull,W.
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Wortley, Rt. Hon. C. B.Stuart-
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Sir Joseph Leese and Mr. Rowlands.

*MR. LEHMANN said that in moving the Adjournment of the House he wished at the outset to say that it was not without much careful and painful thought that he had brought himself to the point of proposing this Motion. He could not disguise from himself or the House at large that the matter upon which he was about to speak was a disagreeable, nay a detestable and a horrible one But that very fact and the fact that the credit of the nation at large, and the good name of the nation among civilised nations, were involved, constituted a justification for bringing forward the matter and asking the House to pass judgment upon it. His task was not a pleasant one, but he had at least one compensation, which was this: If he spoke as he hoped to speak, with due moderation and restraint, and without any Party recrimination, he believed he would be able to carry with him on this Motion the general sense of the House as a whole and not merely the sense of a particular section. We were in the presence of a great moral disaster. a disaster which overthrew and obliterated the barriers and dividing lines by which men generally set themselves apart; a disaster which reduced men to the primary elements of their humanity. Such being the case he would have reason to bitterly reproach himself if he stooped to mere Party acrimony. He would avoid it as he would avoid poison. It would be his duty to refer, in broad outline to the earlier history of the matter, and in quotations from debates to include passages from speeches made by his right hon. friend the ex-Colonial Secretary. At the outset he wished to say he enjoyed the privilege of the right hon. Gentleman's friendship when they were both undergraduates at Cambridge, and, though their paths had lain apart since that time, he knew him well enough to say—if he might say it without presumption—that if his right hon. friend could have foreseen what subsequently happened, if he had not convinced himself that the safeguards proposed were amply sufficient, he would have cut off his right hand rather than have consented to the Ordinance. What he said of the right hon. Gentleman applied with equal force to every Member of this House. That there was in the Chinese compounds a probability of immorality of the nature to which he would have to refer was not merely hinted at, but was discussed when the Ordinance came before this House and when it was discussed in another place. The discussion in another place occurred on February 11th and 12th, 1904, on which occasion the Archbishop of Canterbury spoke of the matter as "a poison of a terrible kind," and desired an assurance that it would not be introduced into the Transvaal with the Chinese labourers whom it was proposed to import. The Bishop of Rochester spoke in a similar strain, and Lord Stanmore and other noble Lords were not behind the Prelates he had mentioned. The matter came before the House of Commons in the debate on the Address on February 16th in the same year, and on that occasion the ex-Colonial Secretary said—

> "I quite recognise that hon. Members have a right to say that the burden rests on us of showing that the remedy proposed to meet a great economic difficulty—the introduction of Chinese labour—can be introduced into that country without moral taint, and without presenting the aspect or the reality of slavery. It is a perfectly legitimate demand, and I trust that the House will allow me to meet it shortly and I hope, conclusively. I entirely agree that the provisions for the reception and accommodation of the wives and families of these people should be clearly made. I undertake that they shall be made. We were advised in

this matter by men most experienced in the whole Empire on the subject of Chinese labour. We were advised that the coolies would not go without their women-folk. Manifestly it would be most wrong that they should go without their women-folk. I undertake that if they wish to bring their wives and families they shall be allowed to do so. [HON. MEMBERS: 'All of them?'] All of them. I did not give specific answer to a Question on this point the other day because the form of the question was: Would they all be accompanied by their wives and families if they wished it? Obviously it might be desirable for the labourers to go out in one ship, and their wives and families in another. I undertake on behalf of the Government, that all the coolies who desire to bring their wives and families shall have the opportunity to do so. If more is desired, then I undertake to fully consider and give effect to any reasonable demand made in connection with the matter."

Provision was made in the Ordinance, and regulations were made in the Transvaal, and it was earnestly and sincerely hoped that those regulations and the provisions which were made would have the effect of inducing a large number of the Chinese coolies who were to be imported into South Africa to go, accompanied or followed by their wives and families. It was hoped, of course, in that way to get rid of the danger of there being committed in the compounds crimes of a horrible nature against which the conscience of Christianity revolted. The regulations, which were honestly and sincerely made, were absolutely ineffective. Only an infinitesimal number of Chinese women went to South Africa. At the present time he believed there were only two or three there. The Ordinance was agreed to, and the Chinese coolies began to arrive in South Africa and to start work there. After a time rumours of crimes in the compounds began to circulate. Letters arrived in this country calling attention to a horrible state of things in the compounds, and amongst others who received such letters was his hon. friend the Member for South Berkshire, who had been honourably distinguished for the part he had played in this matter. The question came to a head on August 4th this year, when his hon. friend laid before the House the facts that had come to his knowledge. One of the letters his hon. friend received was from a Mr. Leopold Luyt, B.A., of the Cape University and a solicitor of Cape Colony, and a passage in the letter in question stated that in most of the compounds, and especially in the Simmer and Jack, there were at least six Chinamen who were used by the coolies for the purpose of immorality at a charge of 2s. per coolie, and that this was tolerated and allowed by the mine manager and the Government. This was what his hon. friend said, as reported by *Hansard*:

> "The record of murders and outrages committed by the coolies was appalling, and by the herding together of 50,000 Chinese of the lowest class, without women, a horrible moral cancer had been introduced into our new colony, and the population and settlers in the Transvaal were becoming habituated to practices that had always been held in deepest detestation by our race. He earnestly pressed upon the Government that instead of waiting they should make every effort to hasten the repatriation of the Chinese, and, as far as possible, to obtain withdrawal of licences. Instead of allowing 5,000 more Chinese to come in and add to the gravity of the situation, they should extend the admirable policy which they had begun, and persuade certain mine-owners to withdraw the licences and begin at once a gradual system of repatriation of this class who could not be allowed to remain in South Africa without contaminating the public life and purity of the colony."

In the course of the debate the present Under-Secretary for the Colonies, who, of course, spoke on behalf of the Government, the Prime Minister sitting beside him at the time, said—

> "As to the question of immorality, he thought it must be quite clear that the fact of so large a population living under conditions of enforced and unnatural celibacy must raise very disquieting reflections in the mind of anyone who contemplated the situation. The hon. Gentleman had rightly stated that the law in the Transvaal imposed severe punishments on whites and blacks under certain conditions, and he himself had not heard that that law had not been put in operation against the Chinese. It certainly should be put in operation; and if it should be found that it was at present neglected, instructions would be given to secure that the law should be made operative. But the hon. Member for Berkshire proceeded to speak of an even worse aspect of the Chinese labour question. He made statements as to the unnatural vice that prevailed in the mines. The hon. Gentleman said it was rampant and obvious. All he could say was that he had never seen any document or Paper—and a good many came before him—from South Africa which made reference to such a state of vice in the mines as that to which the hon. Member for Berkshire called attention. It was only quite recently that the hon. Member and several persons from South Africa had brought the matter to the knowledge of his noble friend Lord Elgin. He must remind the hon. Member that when he asked him to place the statement on record in writing he

> declined, and consequently the Colonial Office was not able to give that attention to the charges which no doubt they deserved. Having regard to the later evidence as to the condition of things which the hon. Gentleman had brought forward, it was necessary that immediate inquiry should be made. He understood, indeed, that his hon. friend had had several consultations with his noble friend the Secretary of State for the Colonies, and that Lord Elgin had assured him that inquiries would be immediately addressed to Lord Selborne on the subject. He would suppose that, in these circumstances, the Colonial Office would be in possession of information on the subject before the House reassembled. He had frequently stated to the House the policy of the Government in regard to Chinese labour, and in the absence of new facts they were not inclined to change that policy. But, if such a state of things were disclosed as was indicated by the statements which had been brought before them by the hon. Member, and if the charges he had made could be maintained, then he thought it would be clear that the general position of the Government in regard to Chinese labour, even during the transition period with which they were dealing, would have to be entirely revised."

In consequence of the pledge thus given Mr. Bucknill was appointed to inquire into the conditions of immorality said to be prevalent in the compounds in the Transvaal. The Report and evidence were in the hands of the Government. They were now told that the Report and the evidence were confidential, and that they must be so treated. In the circumstances he should not dream of asking the Government to publish the Report or the evidence, but he must remind the House of what had taken place. The hon. Member for the Newbury division of Berkshire had been allowed to see the Report and the evidence. [AN HON. MEMBER: By whom?] By the Colonial Secretary, Lord Elgin. My hon. friend was allowed to spend three days in taking notes of that Report and that evidence at the Colonial Office. His hon. friend was told that he might not communicate any part of the Report or evidence to the Press, but that he might inform his friends of their purport. That permission was only subsequently withdrawn.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): From whom does my hon. friend suggest that that permission emanated?

Mr. Lehmann.

MR. LEHMANN said the permission emanated from the private secretary of Lord Elgin. He went further than that. Not in consequence of anything his hon. friend had said or done—how he knew not—statements as to the Report had appeared in the public Press. They had been published in several newspapers. He might mention *Reynolds's Newspaper*, *Star*, *Daily News*, *Tribune* and *Daily Chronicle*. He would refer also to what took place in the debate on August 4th. The Under-Secretary promised then that the allegations which had been made publicly should be inquired into; and therefore it was right to expect that some communication should be made to the House—not at once, but after a proper interval—as to the nature of the inquiry and the steps to be taken by the Government. But no information of any kind had been granted to the House. The Under-Secretary stated yesterday, in Answer to a Question, that he could make no statement in general terms on the subject, the Report being a confidential one. It was this condition of things that imposed on him the task that he had undertaken that night. He desired to ask the Government questions with regard to certain points. Were the Government in possession of evidence showing (1) that systematic unnatural vice existed in the Chinese compounds in the Transvaal; (2) that there were a considerable number of coolies who hired themselves out for the purpose of this vice; (3) that many of these coolies were dressed and wore their hair in a special fashion intended to show that they might be used for this purpose; (4) that the majority of the coolies in South Africa were recruited from North China where this vice was prevalent; (5) that the prevalence of this vice among the coolies in the compounds had long been known to the official inspectors of the mines, and that they had found it impossible to cope with it adequately; (6) that desertion and other more serious crimes had arisen from this condition of affairs; and further, was it a fact that in consequence of information laid before the legal authorities in the Transvaal a circular letter was issued early this year from the Attorney-General's Department to the mining authorities, calling their attention to the necessity of taking early measures to deal with this matter? If the Government had in their possession such evidence, what did they propose to do in the matter? Mere administrative action and methods of police must be insufficient in such a condition of things. The punishment and repatriation of guilty individuals might extirpate the vice for the moment; but others would be ready to take the place of those sent away. Inspection and punishment had been tried by the Transvaal authorities; but the crime was just as rampant now as ever before. The only method on which reliance could be placed to produce any diminution of these crimes was to begin as soon as possible the systematic repatriation of the Chinese coolies. What was the state of affairs at the present moment? The first batch of contracts did not expire until next May. But, if these allegations were true, he asked that repatriation should be begun earlier. We could not afford to wait six months before dealing with this state of things. It was, of course, physically impossible to repatriate 53,000 men *en bloc.* He wished it were not. But a beginning could be made, and could be continued until we had cleared the soil of South Africa of the taint that had been set upon it. It was his earnest desire that our good name should be cleared and that the Government would enable hon. Members to assure themselves and the country that the system which had fostered and bred these horrible crimes would be brought to an end before long.

*MR. A. E. W. MASON (Coventry) said he wished to second the Motion in a very few words. The rumours in regard to the Report of Mr. Bucknill had been growing and taking more substantial shape every day. Those rumours had been sufficiently indicated by the hon. Member for the Market Harborough Division and he should not repeat them. It was enough that they should have been spoken once. If the rumours as to the contents of Mr. Bucknill's Report were untrue, he was sure that it would be a great relief to everyone in the House to know it. If they were true, it would be an equal relief to know what steps were to be taken to remedy the existing state of things. No one who cherished the Imperial ideal of a brotherhood of nations linked by common kinship, common language, common sentiment, and, above all, by a common code of honour, could regard without alarm the tarnishing of that ideal by the conditions which were said to exist in the compounds of South Africa. He was aware that it would be a foolish and a futile task to attempt to graft on native Oriental races the manners of the West: but this was not a case of that kind. The Chinese were not born natives of South Africa. They were brought there from afar into a white man's country, or at all events, into a country inhabited according to a white man's code—and they were brought—he used the phrase in no offensive sense—for the purposes of gain. But there were conditions under which, according to a white man's code, gain must not be made; and there was reason to fear that those conditions were now existent in the compounds. He would follow the hon. Member who preceded him in saying that there was no desire to impute blame to anyone in this matter. For himself he had no doubt that every one connected with the mines had done his best to eradicate the evil. Personally, he had believed that this question of Chinese labour was one which we could not reserve from the colony to which we were going immediately to give responsible self-government. The Constitution had been granted, and the electoral campaign had already been begun; but the actual moment of self-government had not yet come, and we were still responsible. Therefore he urged that whatever considerations were held in other respects, the disgrace of allowing this system to continue would, therefore, fall upon us. If, owing to the compound system, it was impossible to prevent absolutely the continuance of this evil, then more drastic methods must be enforced. If repatriation was to be the price, he thought all would agree that that price would be cheaply paid.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Lehmann.*)

*MR. CHURCHILL said that the Government had no reason to complain that the hon. Gentlemen who had just addressed the House should have raised this subject at this time, or of the terms in which they had expressed themselves. It was a subject equally unpleasant and difficult to discuss and the position of the Government in the matter enabled them very fully to share in the mood and temper of the mover and seconder of the Motion, who had expressed themselves in terms free from anything offensive and completely removed from anything partisan. The House would remember that at the end of the summer the hon. Member for the Newbury division of Berkshire placed evidence before the Secretary of State which required immediate investigation. He himself said that the Government would address Lord Selborne on the subject. They did so, and Lord Selborne assembled a Committee, which investigated the particular allegations which the hon. Member for Newbury had made, upon the authority of a Dr. Luyt. That Committee was presided over by a Mr. Bucknill, a lawyer well respected in the colony and a son of Mr. Justice Bucknill. The Committee investigated the subject with patience. It examined twenty-six witnesses orally and accumulated a mass of documents, including the testimony of fifteen medical officers. Basing himself upon this mass of evidence Mr. Bucknill presented his Report. The Cabinet had decided not to publish the Report or the evidence upon which it was based. There was reason in that decision. He thought it was a matter open to judgment whether the Report, although not an edifying or savoury document, might not have been published, but the evidence on which the Report was based was clearly unprintable, besides being essentially of a confidential character. No one could have expected to arrive at any clear knowledge of the facts unless it had been understood that the evidence tendered was, in the main, of a confidential character. He ventured to say that the inquiry was one which, if conducted in this country would have been conducted with closed doors. The hon. Member for the Newbury division of Berkshire, who had rendered public service in regard to this matter, claimed to examine the Report and the evidence. He was the last man in the House to bring any charge of breach of faith or of calculated indiscretion against the hon. Gentleman. Everyone knew that the hon. Gentleman's motives were genuine and good-hearted. At the same time he did think that the use which the hon. Gentleman had permitted himself to make of documents marked "strictly confidential" was open to some measure of criticism, if not of complaint.

MR. MACKARNESS (Berkshire, Newbury) said he was sure that he saw no document marked "strictly confidential." In the course of an examination of the documents, conducted for several days under the eye of the private secretary of Lord Elgin, he asked, "Is there any objection to my giving this, if I am asked?" The answer was, "I do not think Lord Elgin would like that." He then said he supposed there would be no objection to his telling what he had seen and what he was writing down to friends on the Ministerial side of the House who were interested, and the answer was, "There would be no objection on Lord Elgin's part to that."

*MR. CHURCHILL said that he made no charge against the hon. Gentleman's good faith, but from the result he thought they had some reason to complain. [HON. MEMBERS: "Why?"] He would tell hon. Members why. It was because his hon. friend wrote down certain particularly effective, distasteful, and disagreeable extracts from the evidence and those extracts had been widely circulated in the House. He protested to the House of Commons that although it was, of course, possible to read the whole of the evidence and to review the Report based upon that, he did not think it was possible to form a fair judgment on the matter if it was discussed on certain selected passages of a particular complexion. One part of the evidence could not separately be considered in this or any other case, and a judgment could not be formed unless the evidence as a whole was fairly considered. In this case the evidence of the witnesses was most markedly conflicting.

MR. MACKARNESS asked if the hon. Gentleman would say on what authority he said that he only gave selected passages? He had given the whole of the extracts from the evidence.

MR. MARKHAM inquired whether it was not an old and established rule of this House that no Minister or Under-Secretary was entitled to refer to any document without laying it upon the Table of the House.

MR. DEPUTY SPEAKER said that no quotation had been made from any document.

MR. MARKHAM said he would refer Mr. Deputy Speaker to Mr. Erskine May's book to the effect that no speaker was entitled to refer to any passage in any Report which was not laid on the Table of the House.

MR. DEPUTY SPEAKER said the passage in question referred to quotations. He had recently looked at it.

*MR. CHURCHILL said he did not wish to press any hostile argument against the hon. Member for the Newbury division of Berkshire, but nobody was entitled or in a position to form an opinion upon Mr. Bucknill's Report unless he had read the whole of it and the evidence upon which it was founded. For reasons which the House thought satisfactory a moment before it was not possible to place that Report and the evidence in the hands of hon. Members. As these could not be put into the possession of hon. Gentlemen, he submitted that they should take the opinion of the whole matter formed by persons of repute who had had fuller opportunities of investigating and judging. It would be quite impossible to carry on the business of the country satisfactorily unless the Government retained the power of making confidential inquiry on many matters of importance. And a confidential inquiry meant that the confidence should be respected after the inquiry, and not merely while it was taking place. But he could tell the House what the Report amounted to in the opinion of the Government—in the opinion of the Prime Minister and the Colonial Secretary. The hon. Member for Berkshire placed them in possession of the evidence of a doctor, Dr. Luyt, a person not perhaps altogether worthy of the highest confidence. He said that the malpractices which had been referred to were open and scandalous, and that the consequence of them had been the demoralisation of the white population and contamination of the native population, who were learning to look lightly upon this class of offence; that there was a prevalence of a disease of a peculiar character to which he need not specifically refer among the Chinese coolies. The gravamen of the charge was that it was alleged that this open scandal was tolerated and recognised by the police with the knowledge of the Government. It was with this in his mind that he used the phrase attributed to him perfectly correctly in the course of the debate. If there was this public scandal brought about by the machinery created by the Labour Ordinance and shamelessly supported by the machinery of the Government, he certainly agreed it would have been the duty of the Government entirely to revise their position with regard to Chinese labour. These particular allegations were inquired into by Mr. Bucknill, and in view of his Report and the evidence on which it was based he was perfectly able to state that these allegations were not in substance proved. These offences were not a matter of open public scandal. From its very nature the offence hid itself in secrecy, and one of the greatest difficulties with which they were confronted at the present time was the secrecy with which these crimes were veiled. It was not true that there was a prevalence of a specific disease of a peculiar nature among the Chinese coolies. There had been hardly a case, and there had been overwhelming evidence the other way in regard to that particular form of disease to which reference had been made.

MR. MASTERMAN (West Ham, N.): How many cases?

*MR. CHURCHILL said there might have been five or six cases which had been brought to the knowledge of Mr. Bucknill as the result of the evidence of fifteen medical officers who gave evidence. It certainly was not true that these practices were openly tolerated by the Government, by the police, or by the mine managers, and it was still less true that the native population of South Africa had been contaminated by novel forms of vice, because it was indisputable that those particular forms of vice had long prevailed among the native tribes in South Africa in particular districts and even to a greater extent than it prevailed among the Chinese coolies. Let him proceed to say what in general was true by Mr. Bucknill's Report, or, in other words what they must consider proved. It was clear, he thought, to any one reading the Report and the evidence that this particular offence of sodomy prevailed in most if not all compounds. He was not going to deal unfairly with the House. He had never attempted to prevent the case against Chinese labour being stated with its full force; indeed, he had sometimes endeavoured to add point to the figures and arguments raised, but it was undoubtedly true that there was a percentage, though as to that percentage witnesses of high position differed among themselves, of this form of vice in many if not all the compounds of the Witwatersrand, and that there were in those compounds persons who lent themselves to these practices either from habit or for money who were, in fact, proved to be catamites. He was sorry to inflict upon the House details of this kind of evidence on this point, but the evidence on it was very conflicting. Some of the expert witnesses said that they could detect a person affected by this form of vice. Others, on the other hand, declared that they could not do so, and the indications would in any case be of a very minute kind, perhaps only of a character to be understood by those who dealt in such matters and not by others who had no sympathy or agreement with them. He had stated frankly the main substance of the impression left on his mind and the mind of the Government by the Report, but he would like to say this—was not something like this to have been expected all along? Had they not on his side of the House, the Liberal and the Labour parties, for two or three years been inveighing against Chinese labour? Though they had not used these arguments they had been at the back of their minds. At the beginning of the session his right hon. friend the Prime Minister made reference to these matters in terms which would leave no doubt in the minds of hon. Gentlemen as to what had been one of the great fundamental objections urged by the Government against the system of Chinese indentured labour which was introduced against their will and against their protests before their authority began. He saw the right hon. Gentleman the Member for St. George's, Hanover Square, in his place. He felt that the right hon. Gentleman had got to speak in the debate, for the responsibility was largely and primarily with him to justify what had taken place. Those evils had long been foreseen by the opponents of Chinese labour, and had led them to make general attacks upon it, and when he saw Bishops and Archbishops hurrying into the field at this juncture to call upon the Government to take action he felt bound to ask, Why this belated intervention? Was it not clear that the aggregation of 52,000 men, drawn from these quarters of the world, in an alien country, under extraordinarily restricted conditions, with but two or three women of their own race with them, and without any children or family ties of any kind, was bound to produce moral evil of a peculiar character?

SIR H. COTTON (Nottingham, E.): Why did you allow 16,000 more in?

MR. CHURCHILL said the House knew perfectly well the Answer to that. What had the Government to do? One remedy was clear and simple. This vice must be vigilantly and rigorously repressed whereever it could be detected. All who were guilty, or who were even suspected, would be, he did not say punished, because people could not be punished on suspicion—would be repatriated at once wholesale, however many there might be, under the plenary authority vested in the High Commissioner. He knew there were many hon. Gentlemen with whom he had the honour to act and work in politics who were inclined to think that Lord

Selborne was not a sufficiently zealous opponent of Chinese labour. He could assure them that there need be no doubt about the zeal with which Lord Selborne would endeavour to stamp out this vice. He knew no man who would bring personally such force to bear as the noble Lord. He would go further. The revelations of Mr. Bucknill's report disclosed a sufficiently unhealthy, unwholesome, and unnatural condition of affairs to seal the fate of Chinese labour. Whatever they might think of a system of labour under which the Chinese came with their wives and families, and lived under decent conditions of freedom with a proper opportunity of rising in the world by their skill and exertions, and dwelling if they chose afterwards in the country which those exertions had enriched, it was quite clear that the system they had known must absolutely, totally, utterly come to a close. That result would follow if the Government policy already declared to Parliament was stringently enforced. The last shipload of Chinese had gone to South Africa. On the 30th of this month the whole machinery of recruitment in China would be broken up, never, while the present Government retained any share in the direction of affairs, to be erected again. The old Ordinance would be repealed within a period which would shortly be apparent when the Letters Patent were published, and no new one with similar conditions was likely to be assented to by the House of Commons. He was aware that that did not satisfy some hon. Gentlemen. He was under no illusion as to that. A further demand had been made upon the Government, and he did not complain. He thought no one on these benches would complain or would be surprised that such a request should be made. That request was that they should begin at once to repatriate the Chinese coolies in South Africa, not only those whom they had reason to suspect of this vice, but generally to reduce the whole population of Chinese coolies in South Africa. He must ask the House to take a wide view of the question. Within a few weeks there would be in the Transvaal an election of a Parliament of a thoroughly representative and democratic character. There was no quarter of the world where Liberal principles were more on their trial, or where they had a chance of being more speedily vindicated. His Majesty's Government came into power with two objects in their South African policy—first, to bring about a better understanding and effective co-operation between the two great white races who lived in South Africa; and, secondly, to procure the repatriation of the Chinese from South Africa by the will of a South African Assembly. They had only been in office ten months, during which, although they had had many and unexpected difficulties, they had much to be thankful for and to be satisfied with. Was it not encouraging to read of General Botha writing to the High Commissioner to assure him of his willingness, and the willingness of those whom he represented, to co-operate in the repression of disorder in the north-west of Cape Colony, and to hear of 4,000 working men in Johannesburg gathering together to pass a resolution to co-operate in the repatriation of the Chinese? The House and His Majesty's Government had a great deal of power so far as the Chinese coolies who had not come in were concerned, a power operating smoothly through the Foreign Office and the Admiralty; but so far as the Chinese in South Africa were concerned that power was not absolute. They had to carry with them in what they did in that respect the opinion of the South African population. He said with full confidence that the opinion of that population, stimulated and encouraged as it had been by the sympathy which was growing between the Liberal and Radical forces of this country and of South Africa and in the great labour community of Johannesburg, was steadily bringing back the population into full sympathy with the views, and opinions held in that House. What would be the issue, presented within a very few weeks, at the general election in the Transvaal? First, effective co-operation of Boer and Briton for the good of a common country; secondly, that the Transvaal should be a British colony and not a mining compound; and thirdly, that Chinese labour should come to an end. Let them be careful what they did, and not, on a motion for adjournment, make a declaration at the eleventh hour that would change all the political conditions which were governing the politics of the colony and run the risk of substituting the issue of Imperial interference and the suspicion of an accusation that they had branded the people of South Africa with the taint of conniving at detestable offences. Would it be possible to put into the hands of those who were pro-Chinese a more effective political campaigning weapon? Let hon. Gentlemen have confidence in the Government and the Prime Minister. They must know perfectly well that not this—not any Ministry—that no Liberal Government would shield unnatural offenders. They might be perfectly sure that the Government would take all practical steps to stamp out the evil and to remove the cause from which it sprang. They would incur a grave responsibility if in an impulse of repugnance and anger they interrupted the steady development of a policy, which was not only uniting Boer and British, but which in a comparatively short space of time would have the effect of utterly eradicating Chinese labour from South Africa upon the authority of a South African Parliament.

Mr. LYTTELTON (St. George's, Hanover Square) said the speech just delivered in most unfortunate contrast to the speeches of the mover and seconder would not divert him from expressing to those hon. Gentlemen his sense of the moderation and good taste with which they had performed what he was certain was to them a disagreeable task. He wished he could have said as much of the speeches of the Under-Secretary and the hon. Member for the Newbury Division of Berkshire. The hon. Member would, he was sure, on reflection, regret that he had gone to the Colonial Office and obtained extracts from the copy of a document the Prime Minister had declared was private and confidential.

*Mr. MACKARNESS said it was more than a week after that the private nature of the document was declared by the Government.

Mr. LYTTELTON said of course he accepted what the hon. Member said; but even if the announcement had not been made in the House did the hon. Gentleman think it was right to take extracts from a document upon which charges were going to be made against the late Government, and to show those extracts to Members of his own Party? He knew the hon. Member's zeal, and he credited him with the best motives, but on reflection, he thought he would see that it had placed the Opposition in a false position and made it impossible for them to deal properly with this matter.

*Mr. MACKARNESS said he was sure his right hon. friend did not want to do him an injustice. At the time he showed the document to his friends he had not the slightest idea that the Government would not on a subsequent occasion publish it. He was never asked by hon. Gentlemen on the other side and never thought they were going to ask him for it. For all he knew when he read the Report the Government were still debating whether they would lay it on the Table.

Mr. LYTTELTON said the hon. Gentleman misunderstood his point. Permission was asked to show the document, not to the Press, or to hon. Members on the Opposition side of the House, but to the hon. Member's own friends.

*Mr. MACKARNESS said the right hon. Gentleman persistently but, he was sure, unintentionally, misrepresented him. He had stated that he asked Lord Elgin whether he might show the extracts to the Press, and his secretary intimated that he could not. Then he said, "I suppose you will not object to my showing it to people on our own side who are interested in the matter?" and that was not objected to.

Mr. LYTTELTON said what he was complaining of was not that the hon. Gentleman copied and took extracts from a confidential document, but that as they were to be the subject of a gross censure upon him and others, calling for an explanation, he was surprised that it had not occurred to a fair-minded man that those against whom an indictment was to be brought should have been apprised of the existence of the document. He was sure Lord Elgin or his secretary, as upright and honourable men, would not have countenanced such action as that. There must have been some mistake. He would pass from that and come quickly, not to the speech of the Under-Secretary for the Colonies, but to the speeches of the mover and seconder. He thought they were entitled to ask for some observation from him upon this matter, and he was glad to give it. He had admitted from the first that this experiment must be tested by social and moral as well as by economic standards. He would never have proposed that coolie labour should be established on an organised system of prostitution. Instead of that, alone among all the experiments of coolie indentured labour, a free offer was made to the Chinese to take out their wives and children at the employers' expense. He had never concealed his unfeigned regret that that offer had not been taken advantage of; and when it was discovered that the Chinese were not going to avail themselves of that opportunity he quite conceded that it was right that he should again consider the question upon the moral ground. What were the opportunities of making that investigation? What were the official facts before him as to that matter? It was an obscure and a difficult matter. The most authoritative information available on the subject was the Report of the Royal Commission on Chinese Labour in British Columbia. That Commission was hostile to the experiment, but it found that the moral condition of a great celibate camp of 16,000 Chinamen was unimpeachable. The Royal Commission in the course of their Report said that the Chinese had many noble virtues and characteristics. There were customs which from a moral point of view they condemned as much as we did. They compared favourably with others in their observance of law and order, and there was little doubt that to the frugality of their habits was to be attributed the comparative absence of habits of sensuality. That was the opinion of the Royal Commission, and the Bishop of British Columbia, writing on the same subject, said that the Chinese led quiet, sober, and moral lives, and that there was not a particle of evidence of their importing new and detestable vices. With such testimony from people hostile to the whole experiment he would have despised himself if he had without evidence attributed to the Chinese this horrible and monstrous system of vice. It was perfectly true that during the eighteen months that he remained in office after the Chinese had been admitted to the Transvaal there were rumours in this House of immorality in the compounds. But he frequently challenged—indeed, he asked for any shred of evidence that might be produced on the subject. He thought he could say with absolute certainty that not a fragment of evidence ever reached him with regard to this subject during the eighteen months he was at the Colonial Office after the experiment was begun. The right hon. Member for Morpeth and Mr. Worsley Taylor visited the compounds. He quite agreed that if this vice had existed it would not have protruded itself in their sight, but he did say that if these allegations had been made it was impossible that they should not have heard of them. But although the right hon. Member for Morpeth, who was always hostile to Chinese labour, wrote an elaborate paper on his investigations, not a word escaped him as to the prevalence of this vice. He might, therefore, take it that during the period he was in office not a shred of evidence was produced as to the existence of such practices. He did not wish to make any Party point out of it, but he thought if there had been any evidence the present Government, like the late Government, would have taken prompt and vigorous steps. They came into office in November of last year, and during the general election there were insinuations made by their own followers as to these practices, and thereby they gained considerable profit to their own side in the election. Notwithstanding the suspicions of their own followers, in February last the Under-Secretary was put up by the Government to say that the whole matter of Chinese labour should be left to the unfettered decision of the responsible Government of the Transvaal. Could they have believed such practices existed? It was quite true that the next day the Chancellor of the Exchequer, owing to the indignation of his followers, threw over the Under-Secretary of State for the Colonies, and said that the responsible Government of the Transvaal should decide the question of Chinese labour subject to the veto of the Imperial Government. But there again, when the Chancellor of the Exchequer spoke it was perfectly clear that the point of immorality was not before him, and that no evidence after the Government had been three months in power had come before them. Yet during the three months that the Government had been in office 16,000 more Chinese had been introduced into the Colony. [MINISTERIAL cries of "Your fault."] He was not blaming the Government for it; but he should be the first to blame them if they had allowed 16,000 more Chinese to be introduced believing they were going to form part of the people who practised such forms of vice. He would be the last man to say the Government desired to countenance such practices. The Under-Secretary, in so pointedly calling upon him to speak, as if he were afraid to speak, must have measured his courage by some miserably low standard. He said that even in August of this year the Government could not have had a shred of evidence of the existence of these practices.

MR. CHURCHILL: I said so in the House.

MR. LYTTELTON said, if that were so, it meant that the Chinese had been in the compounds in South Africa from June, 1904, to August, 1906, without there being a shred of evidence upon the subject. Plain language had been used in this matter, and a good many hard things had been said of him, but he did not think he had said anything hard against those who had attacked him. This he would say, that there was no great forbearance shown on the question of Chinese in South Africa. It was made an electioneering cry, and he expected it would be from the first, but it made no difference. Notwithstanding the tremendous searchlight that was turned upon that experience in order to discover anything unworthy or discreditable about it, for twenty-six months, according to the admission of the Under-Secretary, not a particle of evidence was brought forward as to the practices complained of. He spoke with great difficulty and embarrassment on the subject, because, although very hard blows had been struck at him, he had not been permitted to see this document, which had been exhibited to the hon. Member for the Newbury Division of Berkshire, who had copied from it those unsavoury extracts that had been showered over the whole Radical Press. Questions had been put which suggested that there had been open and notorious vice. He absolutely declined, without tenfold stronger evidence, to believe that the British inspectors, who visited the compounds every forty-eight hours, could by ignoring have countenanced such a state of things. It would be a monstrous thing after the exertions that Lord Selborne had made, after the reforms he had carried out for the inspection of these mines and for the facilities for complaints to be made, that the English gentleman he had appointed to supervise these things should have allowed such open and notorious vice to have passed by unnoticed. In regard to the arguments in favour of the superiority of native labour over Chinese labour, he had told the House that the utmost exertions had not been able to bring the death rate of the natives below 40 per 1,000. The death rate of the Chinese was scarcely half that amount; it had been as low as 12, and had never been higher than 25 per 1,000. On the score of humanity there was a great deal to be said for Chinese labour. He would not argue that. The Under-Secretary had pointed out that the prevalence of the vices in question was greater among natives than among the Chinese. To substitute blacks for Chinese in the mines would more than double the mortality, and there would, it was admitted by the Under-Secretary. be a greater prevalence of vice. [Cries of "No."] The Under-Secretary said that vice was more prevalent among natives than among Chinese.

MR. CHURCHILL: I said more prevalent among the natives of certain parts.

MR. LYTTELTON said he had not seen the Report or the evidence. The only points which he had gathered were those which he had gathered from the Under-Secretary's speech. The points which the hon. Gentleman had made did not lead him to place a very high value on the evidence to which the Member for Berkshire had had access. Manifestly, if the Government suspected mischief they were bound to make the most vigilant inquiry and take the most scrupulous precautions; yet during the ten months they had been in power their vigilance had resulted in nothing at all, or, at all events, in no trustworthy evidence. He would urge them to pursue every method they possibly could for the eradication of this evil. He could assure them they would have the most hearty co-operation of all those on the Opposition benches; but they must forgive him if he said that at the present moment, in the circumstances in which this Report had been published, it was impossible for anybody who had not had the opportunity of seeing it to comment upon it. He therefore left the matter where it stood. He could only repeat with the utmost earnestness in his power that, if the Government or any honest body of Englishmen thought there was truth in these allegations, they would have the most hearty support of the Opposition in any efforts they might make to eradicate the evil.

MR. MASTERMAN (West Ham, N.) said if there was one thing made certain by the debate it was that it was perfectly impossible to retain the confidential nature of the Report. They had a perfect right to complain of the way in which some of this Report had reached some Members of the House. He recognised that in some way some deplorable blunder had been made. He thought that the Government would even now find that the easiest course was to publish the Report. He recognised the difficulty in which the Government had been placed, but personally he was not satisfied with the declaration of the Under-Secretary for the Colonies; and he had no other course to take but to urge that the Government should even now, though it was at the eleventh hour, begin the repatriation of the Chinese.

*MR. MACKARNESS asked the House to bear with him in dealing with the personal matter touched upon by his right hon. friend opposite, who had not realised the circumstances in which he came to see the Report. He was the spokesman of those who on 4th August made the charges out of which the inquiry arose, and when the inquiry was completed he asked at once a question in the House as to when the Report would be laid on the Table, so little justification was there for the charge that he wished to conceal the Report from the other side. When he asked whether he could see the Report himself, if the Government had not decided to lay it on the Table, he received a letter from Lord Elgin saying in effect, "Come to the Colonial Office when you like; you will find a room there, and the Report ready for you to see." The only possible suggestion of a confidential perusal was that the letter was marked "private." but he had had a correspondence on the subject of this unnatural vice with the Colonial Office for months, and as the whole correspondence was marked "private" he attached no great importance to that. When he got to the Colonial Office he found that Lord Elgin was unable to see him, but his secretary was there when he was taking lengthy extracts. To make certain of his proper treatment of the Report he made inquiries of the secretary, who said Lord Elgin would not like him to give it at present to the Press, because the Government had not decided what to do with it, but there would be no objection to his talking about it to his friends on that side of the House.

MR. CHURCHILL said that when he made his statement he was not aware that Lord Elgin's secretary had made that remark to the hon. Gentleman. If he had been aware of it he should not have attempted to throw the slightest reflection upon the hon. Gentleman.

SIR E. CARSON (Dublin University) asked if the hon. Gentleman could say who gave the information to the Radical Press.

*MR. MACKARNESS said he certainly did not. He did not desire to use the information for Party purposes, and so far as he knew he had intimated to all his friends that it was for their use only inside the House. He would respect the seal of secrecy now imposed by the Government, but he adhered to every word he said on 4th August, the gravamen of which was that in nearly all the Chinese compounds there was systematic male prostitution on a considerable scale. The policy of the Government still consisted in handing on this Chinese labour question to the Colonial Government, and that was not the course for a British Government or for any civilised Government, to pursue. We had fought the war and taken the Transvaal upon the plea of introducing into South Africa a better system of administration, a higher standard and loftier ideals than existed before, and that great and solemn obligation, whether of a Liberal or Tory Government, should not be postponed for months. The Under-Secretary with all his cleverness did not realise the feeling on the moral aspect of this question in the country, and it was not the policy they had a right to expect from the present Government.

SIR H. CAMPBELL-BANNERMAN was sure the House would accept the statement of his hon. friend, not that he was required to exonerate himself from any special blame, but they knew how anxious and ardent he was in this matter, and there was a possibility that he might have been led into an error of judgment. If any error was committed it was not by his hon. friend, and he hoped the right hon. Gentleman and others opposite would dismiss from their minds any idea that an attempt was made to make Party capital out of the Report by allowing it to be seen by some persons and not by others. He imagined—he was left to imagination, but he felt almost sure—that it was because of the great interest his hon. friend had taken in the matter, and not with a view to his action in the House or elsewhere, that he was allowed to see it. As to the confidential nature of the Report and evidence, it was the case, as his hon. friend had said, that the evidence was of a most nauseous character and could not be published, and that being so, the issue of the Report, which by some degrees was less objectionable, would have left the impression of whitewashing and an opposite effect to that intended. The Government adhered to their opinion that this was from the first, and from the necessities of the case, a confidential inquiry; and they were anxious to keep faith with all those who gave evidence and with Mr. Bucknill himself. The Government were not going to be deterred from maintaining the confidential character of the documents by the fact that some newspaper by some hidden means had obtained a copy of the document, whence and how he could not say. That did not remove from them the responsibility of maintaining the confidential nature of the document, and they were going to do so. He thought that some apology, however, was due to the right hon. Gentleman opposite that he was not admitted to the secrecy of the matter, in consideration of his former position and his immense interest in the subject. The omission was regrettable, and was due to some inadvertence. But when the right hon. Gentleman was speaking he felt sorry for him, because the right hon. Gentleman was the unfortunate Minister to whom it fell to introduce the Chinese under certain conditions into South Africa, and he now saw one of the results of his policy. From the first it had been predicted that sooner or later these vicious practices were likely to arise. The right hon. Gentleman entered into a long explanation of why he was not alarmed. If he did not entertain these fears, why did he take so much pains to tell the House that the wives and children of the coolies were to go with them? Why should the right hon. Gentleman have made such a point of sending an adequate supply of wives and children?

MR. LYTTELTON: All I said was that if the coolies desired to do so they could take their wives and children at the expense of the employers.

SIR H. CAMPBELL-BANNERMAN: But why should they take their wives and children? [OPPOSITION cries of "Why not?"] All knew that the reason was the dangers that were certain to arise where the ordinary social conditions were so completely inverted. The right hon. Gentleman asked why the present Governent did not at once take steps to cure this great moral disease. They had no proof of it whatever. It was not until this summer that they received these strong declarations of the state of things prevailing in the compounds. The inquiry of Mr. Bucknill proved that the reports received had been considerably exaggerated. There was no flagrant and notorious and unblushing amount of crime such as had been hinted at. There was crime, but it was necessarily of a secret character. The police and other officials could not be blamed for indifference, because witness after witness said that, although they knew the evil existed it was amost impossible to detect it; but it was known to exist. The Government were determined to apply greater and special rigour to the investigation and discovery of it and to repatriate detected criminals. Lord Selborne would address himself to this task. Although he had often had occasion to differ from what Lord Selborne said, yet he was quite sure in this matter Lord Selborne would spare no pains whatever to stamp out this evil. What had the present Government achieved in this matter of Chinese labour? They had stopped the issue of fresh licences, they had facilitated repatriation, and they had announced that shortly after power in this matter was conferred by the new Constitution upon the people of the Transvaal the Chinese Labour Ordnance would be annulled. They had reason to believe they were working slowly but surely to the end they had in view—the putting of an end altogether to this system of labour. They would more surely attain their end by these constitutional means than by any violent action. The Government might be trusted not to turn back now they had put their hand to the plough. They would go on in the future as they had in the past with such measures as they thought best calculated to attain the purpose in view. If repatriation of noxious persons failed, they would be bound to seek some other method, but in the meantime he believed that by that reasonable and proper process they would so reduce the vice that they would be able in a few months to hand over the matter to the Transvaal community with the evil so cut down that there would not be much difficulty in dealing with it.

MR. MARKHAM (Nottinghamshire, Mansfield) thought the House found itself in an undesirable position. Hon. Members below the gangway were quoting a confidential document which even the ex-Colonial Secretary and many Members on both sides had not seen. Since he had been in this House he had seen the Chinese labour question in many stages. He was the first Liberal Member to raise the question in the House. Six years ago the late Sir William Harcourt, in a debate on the Transvaal and its finances, referred to an article he had written in the *Nineteenth Century*, seven years ago in which he had admitted that the only real method to prevent terrible mortality in the mines was to introduce labour from outside South Africa. But he said emphatically to-night that if the allegations that had been bandied about in this debate were founded on fact then he would be the first person in this House to stand up and say that the Chinese should leave South Africa. If this vice were as rampant as had been said then the duty of His Majesty's Government was clear. Although the present Government came into office on the cry of Chinese slavery it had to be remembered that there were more Chinese in the Transvaal now than when the Government took office. If it were slavery in the opinion of the Government it was their duty not to allow any more Chinese to come into the country. So it was with the question of immorality It was said that Ministers well knew that this state of affairs would continue in the Transvaal, and what were the heroic steps that His Majesty's Government were going to take? Nothing except to give orders to the police, which, to his knowledge, were given by Lord Selborne months ago. There were to-day in the Transvaal a large community of white people without their wives. Were all these people moral? And what about the 140,000 Kaffirs? The Under-Secretary for the Colonies well knew that immorality prevailed among the Kaffirs of a character which was repugnant to hon. Members.

Mr. MACKARNESS rose in his place, and claimed to move, "That the Question be now put;" but Mr. SPEAKER withheld his assent, and declined then to put that Question.

MR. MARKHAM said no doubt the hon. Gentleman would like to have the Question put because he was one who had seen all the evidence in the case while others who had taken an equal interest in the subject were forbidden to see the documents. He was entitled as a Member of the House to see the Report which had been published at the public expense, and which hon. Members below the gangway on the Government side had seen, but which even the ex-Colonial Secretary had not been permitted to peruse. That was not fair play in politics—it was not playing the game. While this state of affairs continued His Majesty's Government would not improve their position in South Africa or maintain the confidence of the people of South Africa. If this information could appear in certain Radical papers why could it not be laid on the Table of the House or in the library of the House?

DR. RUTHERFORD rose in his place, and claimed to move, "That the Question be now put;" but MR. SPEAKER withheld his assent, and declined then to put that Question.

MR. MARKHAM was proceeding to refer to the question of recruiting labour from northern territories,

And, it being Eleven of the clock, the Motion for adjournment of the House lapsed without Question put.

MERCHANT SHIPPING ACTS AMENDMENT (No. 2) BILL.

Postponed proceeding on Amendment proposed on consideration of the Bill, as amended, resumed.

Question again proposed, "That those words be there inserted in the Bill."

Debate arising.

Motion made, and Question "That the debate be now adjourned."—(*Mr. Whiteley*)—put, and agreed to.

Debate to be resumed To-morrow.

Whereupon MR. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of 4th August last.

Adjourned at one minute after Eleven o'clock.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF COMMONS.

Friday, 16*th November*, 1906.

The House met at Twelve of the clock.

PRIVATE BILL BUSINESS.

Blairgowrie, Rattray, and District Water Order Confirmation Bill. Read a second time; to be considered upon Monday next.

PETITION.

PARLIAMENTARY FRANCHISE.

Petition from Dawlish, for extension to women; to lie upon the Table.

RETURNS, REPORTS, ETC.

COAL (EXPORT DUTY).

Return [presented 15th November] to be printed. [No. 352.]

INQUIRY INTO CHARITIES (COUNTY OF BERKS).

Return [presented 15th November] to be printed. [No. 353.]

INQUIRY INTO CHARITIES (COUNTY OF WILTS).

Return [presented 15th November] to be printed. [No. 354.]

COLONIAL REPORTS (ANNUAL).

Copy presented, of Colonial Report No. 508 (Somaliland Protectorate, Report for 1905–6) [by Command]; to lie upon the Table.

COLONIAL REPORTS (MISCELLANEOUS.)

Copy presented, of Report No. 38 (Reprint of a Report (written in 1884) upon the Present Position and Prospects of the Agricultural Resources of the Island of St. Helena, by D. Morris, esquire, M.A., F.L.S., F.G.S., Director of Public Gardens and Plantations, Jamaica) [by Command]; to lie upon the Table.

SUPERANNUATION ACT, 1884.

Copy presented, of Treasury Minute, dated 10th November 1906, declaring that James Hay, turner, Royal Gun Factory, War Office, was appointed without a Civil Service Certificate through inadvertence on the part of the head of his Department [by Act]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Vivisection Experiments at Gordon College, Khartoum.

MR. G. GREENWOOD (Peterborough): To ask the Secretary of State for Foreign Affairs whether, as the result of the inquiries promised, he can now say whether vivisectional experiments are habitually performed at Gordon College, Khartoum, in the Wellcome Research Laboratories, or elsewhere; whether the Gordon College, though not under the control of the Foreign Office, is in anyway subject to British control; whether the Wellcome Research Laboratories form part of such college, or what is their connection with it; how such laboratories are maintained, and whether or not by public money; and whether operators in such laboratories or otherwise at the Gordon College, are subject to any inspection, regulation, or control.

(*Answered by Secretary Sir Edward Grey.*) No vivisectional experiments in the ordinary sense of the term are conducted at the Wellcome Research Laboratories, but from time to time painless hypodermic inoculations have been given to living animals in order to further the diagnosis and cure of the obscure tropical diseases to which men and animals are exposed when living in the Soudan, and many valuable results have been obtained. The Gordon College is under an executive committee and trustees appointed under The Gordon College at Khartoum Act, 1899. The research laboratories, the equipment of which was given by Mr. Henry S. Wellcome to the Soudan Government, are affiliated to the Gordon College. The maintenance of these laboratories is a charge upon the Gordon College, the revenue of which is derived partly from an endowment and partly from a grant made annually by the Soudan Government. The laboratories are constantly visited by several members of the Soudan Governor's Central Sanitary Board.

Special Grants to Education Authorities.

Mr. WHITEHEAD (Essex, S.E.): To ask the President of the Board of Education whether he can take steps to secure that the special grant in aid of education rates, about to be made to authorities whose expenditure under Part III. of the Education Act has exceeded a rate of 1s. 6d., shall be so allocated that each parish in a county area, the education rates of which parish have exceeded that amount, will get relief to the same extent as a parish in an urban district or borough; and whether the parishes of Hockley, Ashingdon, and South Fambridge, in Essex, the education rates in which last year were 2s., 1s. 9½d., and 1s. 9½d. respectively, will receive any relief from the said grant.

(*Answered by Mr. Birrell.*) The special grant referred to in the Question was only made in respect of complete areas of local education authorities in which the rate exceeded a certain sum, and not in respect of individual parishes forming part of any authority's area. I am unable to take any steps in the direction suggested, but the whole question of grants in respect of elementary education will, I hope, though I cannot be certain, come up for consideration next year, when the point referred to by the hon. Member shall have full attention.

Government Official and North Armagh Election Campaign.

Mr. GLENDINNING (Antrim, N.): To ask the Secretary to the Treasury, whether his attention has been called to the fact that an Inland Revenue officer named M'Vitty has been taking an active part at Lurgan in support of the candidature of Mr. William Moore in North Armagh; and what steps he proposes to take in the matter.

(*Answered by Mr. McKenna.*) The matter is being inquired into, and meanwhile instructions have been given by telegraph that, if the statement contained in the Question is correct, all further action on the part of this officer in the election shall cease.

Pilots and Dover Boatmen.

Mr. HEDGES (Kent, Tonbridge): To ask the President of the Board of Trade if his attention has been called to the letter addressed to the Ruler of Pilots by Mr. A. Owen, of Trinity House, requesting pilots to make use of a steam vessel to be placed off Dover for the purpose of landing; and, in view of the fact that seventy boatmen and their families are dependent on this service for their livelihood, whether he is prepared to take any steps in the matter to prevent unfair competition by the Trinity House with a deserving class of boatmen, many of whom are members of the lifeboat service.

(*Answered by Mr. Lloyd-George.*) I am informed by the Corporation of Trinity House that with a view of improving the working efficiency of the pilotage service and in the interest of shipping generally, they are about to station a steam pilot vessel off Dover for the purpose of supplying pilots to vessels bound to Dover, and of taking pilots out of vessels leaving that port, and the London pilots have been requested, when they require to quit outward bound vessels in that locality to avail themselves of the advantages and facilities afforded by such steamer. The Corporation add that while this arrangement may lessen the demand for the services of boatmen in putting pilots ashore, it will not do so to the extent feared by the hon. Member. I am not aware that the Board of Trade have any power to interfere with the discretion of the Corporation in the matter.

Colonel Malone's Baronstown Estate.

Mr. GINNELL (Westmeath, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will ascertain and state in relation to Colonel Malone's Baronstown Estate, Westmeath, the names of the tenant purchasers of uneconomic holdings not exceeding £5 valuation, with the area and valuation of each of these holdings; the names of the tenant purchasers of holdings uneconomic owing to inferiority, though over £5 valuation; the names of persons not within the Land Law Acts who have proposed to purchase grass farms on this estate exceeding 100 acres each, with the area of each of these grass farms; and the Commissioners' reason for not requiring, as a condition precedent to sanctioning the sale of this estate, the inclusion of these grass farms for distribution.

(*Answered by Mr. Bryce.*) I beg to refer the hon. Member to my Answer to his Question of the 7th instant† in which I stated, on the authority of the Estates Commissioners, that the estate in question does not comprise any untenanted land, that the grass farms on the estate are held under leases or by yearly tenants, and that the Commissioners have no power to compel farms so held to be sold to them as untenanted land. In these circumstances, the Estates Commissioners do not consider that any good purpose would be served by supplying the detailed information asked for in the Question.

Monthly Payment of Irish National School Teacher's Salaries.

MR. MURPHY (Kerry, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if the Commissioners of National Education in Ireland can state what would be the additional probable cost of making the payment of teachers' salaries monthly; whether the Commissioners are aware that the present system leads to inconvenience in many respects and that there is an unanimous desire for monthly payments; and whether he will request the Commissioners to effect a change in this matter that will be acceptable to the teaching body, and at the same time involve only a very trifling expenditure.

(*Answered by Mr. Bryce.*) The Commissioners of National Education refer to replies which were given to Questions on this subject on 3rd April and 28th June‡ last. I have already stated, on their authority, that the work of paying 17,000 national teachers, pupil teachers, &c., is one of great magnitude, and that it would be impossible to make monthly payments without a very large increase of staff, and a consequent considerable increase in expenditure. The amount of this increase of expenditure could not be stated with anything approaching accuracy.

Honours for Army Officers.

MR. BELLAIRS (Lynn Regis): To ask the Secretary of State for War in how many instances the honours G.C.B., K.C.B., and C.B., respectively, have been conferred on military officers on the active list this year.

(*Answered by Mr. Secretary Haldane.*) The figures are as follows:—

G.C.B. - -	Nil.
K.C.B. - -	4
C.B. - - -	32, including 8 Indian Officers.

Enniskillen Garrison.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Secretary of State for War whether his military advisers have yet reported in reference to the barrack accommodation in Enniskillen and the suitability of that town as a headquarters station; and whether it will be possible to keep up the connection of the Inniskilling Fusiliers with the town from which the regiment derived its name.

(*Answered by Mr. Secretary Haldane.*) The conclusion I have come to, after careful consideration, is that this proposal to move the depôt of the Royal Inniskilling Fusiliers cannot at present be entertained.

ADJOURNMENT.

Resolved, "That this House, at the rising of the House this day, do adjourn till Monday next."—(*Mr Whiteley.*)

MERCHANT SHIPPING ACTS AMENDMENT (No. 2) BILL.

Order read, for resuming Adjourned Debate on Amendment proposed [15th November] on consideration of the Bill, as amended (by the Standing Committee.)

Which Amendment was—

> In page 37, column 5, heading, after the word 'Beef,' to insert the words '(weight exclusive of bone).' "—(*Mr. Havelock Wilson.*)

Question again proposed, "That those words be there inserted in the Bill."

Question put, and negatived.

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† See (4) *Debates*, clxiv., 561.

‡ See (4) *Debates*, clv., 364, 365; clix., 1105.

Mr. HAVELOCK WILSON (Middlesbrough) moved to insert in Schedule 1, column 6, after the word "pork," the words "(weight exclusive of bone)." He did not know whether the Secretary to the Board of Trade realised the importance of this Amendment. He could assure the hon. Gentleman that upon many vessels the men were given a large amount of bone and they had no redress whatever. In the Mercantile Marine Committee's Report a much more liberal scale was laid down. In this matter the Board of Trade seemed to have whittled away the recommendation of that Committee. The question was thoroughly gone into and the shipowners agreed to this recommendation, and yet they found a Radical Government whittling down the recommendation of a Committee appointed by a Conservative Government. He hoped they would be told why the Board of Trade had proposed a more meagre scale than was recommended by that Committee. As the table stood the men might be given any quantity of bone and they would have no redress. He looked upon the matter as so important that he should be reluctantly compelled to go to a division if they did not get this grievance redressed. He would do all he could to help the Government to get this Bill through this afternoon, but he trusted the hon. Member would be reasonable, and accept his Amendment.

Mr. JENKINS (Chatham) seconded the Amendment.

Amendment proposed to the Bill—

"In page 37, column 6, heading, after the words 'salt pork' to insert the words '(weight exclusive of bone).'"—(*Mr. Havelock Wilson.*)

Question proposed, "That those words be there inserted in the Bill."

*The PARLIAMENTARY SECRETARY to the BOARD of TRADE (Mr. Kearley, Devonport) said he could not accept the Amendment, but he would undertake to ensure that instructions were given to the Board of Trade inspectors in connection with this new scale to see that there was no undue proportion of bone. It would be impossible to eliminate bone altogether from the meat rations, but he did not think that his hon. friend need have any apprehension in the future that there would be much ground of complaint on that score. The meat was shipped in the form in which it was packed, and there must be a certain amount of bone. The amount allowed was one pound of meat per day, and if that did not contain bone it would be impossible for a man to consume it in one day. The hon. Member had complained that they had whittled down the scale as recommended by the Committee. He did not agree with him on that point, because where they had departed from the recommendations it had been a matter of give and take. This food scale represented something far more liberal than that which was given in the British Navy. ["Shame."] It was so liberal that it had been suggested that they were setting up a standard which was unduly high, and that they might have some protest from the Admiralty on that account. Therefore he hoped his hon. friend would not press the Amendment.

Mr. HAVELOCK WILSON asked how could the Board of Trade look after this matter when the ships had taken their provisions on board.

Mr. KEARLEY said that so far as they could exercise jurisdiction over the mercantile marine they would take every care to see that the interests of the sailors were properly safeguarded.

Question put, and negatived.

Amendment proposed to the Bill—

"In page 38, line 34, at end, to insert the words, '(7) A mixture of coffee and chicory containing not less than seventy-five per cent. of coffee may at any time be substituted for coffee in the proportion of five ounces of the mixture to four ounces of coffee.'"—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted in the Bill."

Mr. HAVELOCK WILSON said he found that there was some more whittling down here, because there was to be 25 per cent. of chicory allowed.

MR. KEARLEY said that as a matter of fact the coffee and chicory mixture would cost the shipowner as much as, or more than the pure coffee.

Question put, and agreed to.

Amendments proposed to the Bill—

"In page 39, line 22, column 3, before the word 'when,' to insert the words 'to be considered equal.'"—(*Mr. Lloyd-George.*)

"In page 40, line 7, at end, to insert the words 'section one hundred and forty-four.'"—(*Mr. Lloyd-George.*)

Amendments agreed to.

Amendment proposed to the Bill—

"In page 40, line 12, in third column, to insert the words 'In sub-section (2) of section two hundred and forty-six the words 'and appoint and remove the superintendents, deputies, clerks and servants,' and in paragraph (a) the words 'the number of persons to be so appointed and the amount of their salaries and wages, and' and the word 'other'; and paragraph (c); and in sub-section (3) of the same section the words "and appoint and remove all the requisite superintendents, deputies, clerks, and servants."'"—(*Mr. Lloyd-George.*)

Question proposed, "That those words be there inserted in the Bill."

MR. BOWLES (Lambeth, Norwood) said this Amendment raised by reference to the Act of 1904 a question in which he was interested. He was aware that this point would have to be raised in a more direct form upon a new clause which was to be moved, and he hoped that if they allowed this Amendment to pass without discussion it would not be taken that some of them on the Opposition side had nothing to say on the matter, because he desired to raise the whole question involved upon the new clause.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. LLOYD-GEORGE, Carnarvon Boroughs) said he assumed that the debate would take place on the new clause.

MR. HAVELOCK WILSON did not know whether he would be able to speak on the subject of marine boards now. He was quite prepared to support this proposal provided he was able to move the Amendment standing in his name to abolish marine boards.

MR. AUSTIN TAYLOR (Liverpool, East Toxteth) said this Amendment was consequential by anticipation, and as it altered the method of appointment and dismissal of superintendents, deputies, clerks, and servants in the mercantile marine, it might interfere with the subsequent discussion of the question. The Amendment abolishing marine boards would be unnecessary if the power of appointment and dismissal was taken from the hands where it now rested, namely, the marine boards, and placed in the hands of the Board of Trade.

*MR. SPEAKER: I think it would be more convenient to take the discussion upon the new clause. If the new clause were not inserted, and these words were, the House would still have an opportunity on Report of setting the Bill right. I do not think any interest will be damnified by the passing of this Amendment.

MR. HAVELOCK WILSON said he rose to support the proposal of the President of the Board of Trade that the appointments and dismissal of superintendents, deputies, clerks, and servants should be under the Board of Trade.

MR. LLOYD-GEORGE thought the discussion was to be on the new clause, otherwise they would have two debates upon the same subject.

MR. HAVELOCK WILSON said he thought Mr. Speaker's ruling was in the opposite sense.

*MR. SPEAKER: The hon. Member is not out of order, but I would suggest that it would be for the general convenience if the discussion took place upon the new clause. The hon. Member's position would not be damnified by waiting until then.

Question put, and agreed to.

Amendment proposed to the Bill—

"In page 40, line 23, to leave out 'paragraph (c) of subsection (3) of.'"—(*Mr. Lloyd-George.*)

Amendment agreed to.

[The hon. Member for Middlesbrough had given notice to move the insertion of a "Third Schedule; Scale of Provisions for Lascar Seamen."]

*Mr. SPEAKER: The new schedule standing in the name of the hon. Member for Middlesbrough is not in order, because there is no reference to a third schedule in the clause of the Bill, and lascars are specially excluded.

Amendment proposed—

"In title, page 1, to leave out the words '1901,' and insert the words '1900.'"—(*Mr. Lloyd-George.*)

Amendment agreed to.

Bill recommitted to a Committee of the Whole House in respect to New Clauses, and of Amendments to the Second Schedule (Repeal) consequential thereto.—(*Mr. Lloyd-George.*)

Considered in Committee.

(In the Committee.)

[Mr. Emmott (Oldham) in the Chair.]

New clause—

"'(1) The master of every British ship shall enter or cause to be entered in the official log-book, a statement, or, if there is no official log-book, cause a record to be kept, of every occasion on which boat drill is practised on board the ship, and on which the life-saving appliances on board the ship have been examined for the purpose of seeing that those appliances are fit and ready for use.

"'(2) The master shall, if and when required by any officer of the Board of Trade, produce for inspection any record kept by him for the purposes of this section.

"'(3) If the master of a ship fails to comply with any requirement of this section, he shall be liable on summary conviction for each offence to a fine not exceeding ten pounds.'"—(*Mr. Lloyd-George.*)

Brought up and read the first time.

Motion made and Question proposed, "That the clause be read a second time."

Sir GILBERT PARKER (Gravesend) said he wished to ask a question upon this clause. The Bill dealt with the official entry in the log-book. Might he ask if there was anywhere in the Bill special regulations as to the number of boat drills that must take place. The President of the Board of Trade arranged at first for a certain number of drills, and he seemed now to have omitted them from the Bill in its present form. Were there anywhere in the Bill specific regulations as to the number of boat drills that must take place. He thought this was a serious question.

Mr. LLOYD-GEORGE said if his hon. friend would refer to a section in the principal Act he would find that they were bound from time to time to have drills. In the Committee upstairs it was thought that there should be some provision to enable the Board of Trade to exercise a certain amount of supervision over the way in which the section was administered. If, by an inspection of the log-books, it was discovered that there had been no drills, the section would come into operation and a prosecution would naturally lie. He thought the hon. Gentleman would find that the case was adequately met.

Sir GILBERT PARKER said he felt very strongly on this point. Anyone who had travelled in first-class ships like those of the P. & O. in the East knew that the drills were regular, but anyone who had travelled in tramp ships, and in ships of less importance than those of the P. & O. and the Orient lines and the mail lines running to the East, knew that the drills were not so regular in the matter of closing watertight doors and the summoning of the stewards and the responsible sailors, on whom fell the labour of manning the boats and so on, and in these circumstances they were bound to have disasters. He therefore once more urged that adequate steps should be taken to see that the drill was specific and regularly carried out. It was by observation and experience that the men would be able to do the work properly, and he would bring the matter up again after the first year has passed.

*MR. CATHCART WASON (Orkney and Shetland) said that instructions were given to have the boats periodically inspected. His contention was that, although instructions were given, they were not carried out. He thought the new clause would adequately meet the case, and he was grateful to the President of the Board of Trade for having accepted the Amendment.

Question, put, and agreed to.

Clause read a second time, and added to the Bill.

New clause—

"If a ship, British or foreign, arrives between the last day of October and the sixteenth day of April in any year at any port in the United Kingdom from any port out of the United Kingdom, carrying any heavy wood goods as deck cargo or (except under the conditions allowed by this section) any light wood goods as deck cargo, the master of the ship, and also the owner, if he is privy to the offence, shall be liable to a fine not exceeding five pounds for every hundred and fifty cubic feet of space in which wood goods are carried in contravention of this section. (2) The conditions under which light wood goods may be carried as deck cargo are as follows: (a) Each unit of the goods must be of a cubic capacity not greater than fifteen cubic feet; and (b) The height above the deck to which the goods are carried must not exceed:—(i) in the case of an uncovered space on a deck forming the top of a break, poop, or other permanent closed-in space on the upper deck, three feet above the top of that closed-in space; and (ii) in the case of an uncovered space, not being a space forming the top of any permanent closed-in space on the upper deck or a space forming the top of a covered space, the height of the main rail, bulwark, or plating, or one-fourth of the inside breadth of the ship, or seven feet, whichever height is the least; and (iii) in the case of a covered space, the full height of that space. (3) Provided that a master or owner shall not be liable to any fine under this section—(a) in respect of any wood goods which the master has considered it necessary to place or keep on deck during the voyage on account of the springing of any leak, or of any other damage to the ship received or apprehended; or (b) if he proves that the ship sailed from the port at which the wood goods were loaded as deck cargo at such time before the last day of October as allowed a sufficient interval according to the ordinary duration of the voyage for the ship to arrive before that day at the said port in the United Kingdom, but was prevented from so arriving by stress of weather or circumstances beyond his control; or (c) if he proves that the ship sailed from the port at which the woods goods were loaded as deck cargo at such time before the sixteenth day of April as allowed a reasonable interval according to the ordinary duration of the voyage for the ship to arrive after that day at the said port in the United Kingdom, and by reason of an exceptionally favourable voyage arrived before that day. (4) For the purposes of this section—(a) the expression 'heavy wood goods' means—(i) any square, round, waney, or other timber, or any pitch pine, mahogany, oak, teak, or other heavy wood goods whatever; or (ii) any more than five spare spars or store spars, whether or not made, dressed, and finally prepared for use; and (*b*) the expression 'light wood goods' means any deals, battens, or other light wood goods of any description; and (c) the expression 'deck cargo' means any cargo carried either in any uncovered space upon deck or in any covered space not included in the cubical contents forming the ship's registered tonnage; and (d) the space in which wood goods are carried shall be deemed to be the space limited by the superficial area occupied by the goods, and by straight lines enclosing a rectangular space sufficient to include the goods. (5) Nothing in this section shall affect any ship not bound to a port in the United Kingdom which comes into any port of the United Kingdom under stress of weather, or for repairs, or for any purpose other than the delivery of her cargo. (6) This section shall come into operation on the passing of this Act.' "—(*Mr. Lloyd-George.*)—

Brought up and read the first time.

MR. LLOYD-GEORGE, in moving the Second Reading of the clause, said that it introduced no new matter. It was simply a consolidation of Amendments introduced before.

Motion made, and Question proposed, "That the clause be read a second time." (*Mr. Lloyd-George.*)

MR. HAVELOCK WILSON said he was bound to oppose the proposed new clause. As to its containing no new matter, he called attention to the conditions under which light wood goods might be carried as deck cargo. The clause provided that a ship should be allowed to carry seven feet of timber in the winter months. The present law only provided for three feet.

MR. LLOYD-GEORGE: I did not say that the new clause does not alter the present law, but that it does not introduce new matter beyond that for which this Bill was originally framed.

Mr. HAVELOCK WILSON said he must invite the attention of the House to this matter. They had already had to complain of the manner in which the load-line was being altered to the great dissatisfaction of the men employed in the mercantile marine. He wished to know what justification there was for a proposal to increase the extent of deck loads in the winter months by an extra four feet. They had reached a stage when the loss of life at sea had fallen very considerably, and now they were going back to the old days and to allow ships to carry four or five hundred tons more cargo than before. In the summer they could have deck loads up to the funnel if they liked, but this was a proposal that in winter ships crossing the Atlantic might carry seven feet of deck timber. It was a monstrous proposal, and he hoped the House of Commons would not entertain it for a moment. Some people said that if they had a deck cargo of this kind the water would be trapped on the other side. All vessels had not a seven feet bulwark, and this would be above the bulwark. He read a few weeks ago of a ship in the Atlantic which was struck by a very heavy sea, which came on board and washed the deck cargo and five or six men overboard. He would move an Amendment substituting three feet for seven feet, to which he hoped the President of the Board of Trade would agree. The present law allowed three feet for deck cargo in the winter months, and that only applied to ships arriving at ports in the United Kingdom. He did not think that the shipowners could complain of that. He felt sure that the President of the Board of Trade had no idea of endangering the men on board our ships, but would go a long way to oppose anything of the kind, and if the matter was put to him in a fair and reasonable manner he probably would not agree to any proposal which would endanger the lives of the men. The new clause would not be beneficial to the men in any shape or form. It might be an advantage to shipowners. Personally, he was of opinion that deck cargoes ought to be prohibited entirely. The decks of a vessel were made for the men to do their work, and when they loaded seven feet of timber on the deck a man in a dark night might fall down a hold five or six feet deep and break his leg or sustain other serious injury. In the night time when a man was walking on the top of a deck load of timber a heavy sea might come along and wash him overboard. He could have no protection on the top of the deck load to prevent the sea from washing him over. If he was in order he would propose to put in the word "three" instead of "seven."

The CHAIRMAN: This discussion is on the second reading of the clause.

Mr. HAVELOCK WILSON: Very well, I move that the clause be rejected entirely.

Mr. JOYCE (Limerick) supported what had been said by his hon. friend the Member for Middlesbrough. He himself was one of the crew in a vessel coming across the western ocean in the winter time with a deck cargo of seven or eight feet. The ship was drifting in the Atlantic Ocean for five days, and the crew had neither food nor water until they were picked up by a mail steamer. If the President of the Board of Trade was going to allow legislation to revert back to the bad old days, what was going to become of all the good work the late Mr. Plimsoll did for sailors? He agreed with the hon. Member for Middlesbrough that no deck cargo should be allowed in the winter time after the 1st October. The men who had to sail on ships, whether steamers or sailing ships, in the winter time in the western ocean when there were deck cargoes on board, risked their lives and the well-being of their families, because they were forced by circumstances to remain on the ships. They looked to the Government of the country to safeguard the lives of seamen so far as they possibly could. They had no desire to see shipowners injured, but when it came to a question of making money for shipowners at the expense of the lives of men, then they did desire to enter a protest against such legislation. Any man who had practical knowledge of the sea knew very well that sailing in the winter time and the summer time were two very different things. As a rule, in crossing the western ocean the passage was long and dangerous. It was almost always on the western ocean that they had these deck cargoes. They might have a few ships coming from the Baltic, but that was a short passage. He made bold to say that there was no place on which they had heavier seas than those which were encountered in the western ocean. The Government should be very chary about promoting any legislation which might injure the lives or limbs of the men who had to go down to the sea in ships. He supported his hon. friend in asking the President of the Board of Trade not to revert to the old state of thing which existed some years ago.

MR. LLOYD-GEORGE said he sympathised with the objects of his hon. friends. After all, the first consideration ought not to be the prosperity of the shipping trade but the safety of the men engaged in it. If there was anything inconsistent between the two it was the prosperity of the shipping trade which should go to the wall. He did not think that anyone for a moment contested that point. At the same time they must adjust the balance between them. They must not put on unnecessary restrictions. It seemed to him that restrictions must not be put on which would handicap our trade in competition with that of other nations. He wanted his hon. friend to remember that the present restrictions which were imposed in 1876 and since made an enormous improvement in the size and the strength of the ships, and more especially in the width of the ships. There was the case referred to by the hon. Member opposite of a vessel which formerly had only 24 feet breadth of beam.

MR. JOYCE: Thirty-six feet breadth of beam with a 1,500 ton register.

MR. LLOYD-GEORGE said it was more than that now. When they had a great alteration in the method of construction allowance ought to be made for that in the Board of Trade regulations. There had been really no alteration in regard to old ships. He would put the case of timber ships, where there had been great improvement in strength and construction so that they might be loaded down to the load line. When that was done there was not the same danger as in the case of a ship carrying dead weight cargo. Therefore this difficulty did not arise; and the only question was the convenience and the dangers of working the ship from the deck. His hon. friend had said that if the load line was reduced the seas dashed over the ship and the sailors were swept overboard, but he understood that there was always a temporary rail fixed which was four or five feet above the cargo. Was not that a protection to the sailors? His hon. friend had said that at the present moment when they loaded three feet of deck cargo, and the waves swept over the ship, the water was trapped, and therefore it was very much better that protection should be given when the cargo was on a level with the bulwarks, and then the waves would sweep clear over. The Government had made most careful inquiry into this matter, and they had come to the conclusion that instead of a danger it was a protection, and that it would not enable the profits of shipowners to be unduly increased. He could not believe that anyone would be so inhuman as to increase the dangers of the sea in order to increase his dividends to any extent.

*MR. CAIRNS (Newcastle-on-Tyne) thought that his hon. friend had not stated fairly the effect of this clause when he said that they would have deck loads in future seven feet high instead of three feet. He called the attention of the Committee to the way in which the clause was framed. The last part of sub-section (2) (b) (ii) stated that—

> "The height of the main rail, bulwark, or plating, or one-fourth of the inside breadth of the ship, or seven feet, whichever height is the least."

If these words were read aright it would be seen that the only case in which seven feet of deck cargo could be carried was when the bulwarks were seven feet high. He wanted to make sure that the Committee was perfectly clear on that point. He asked his hon. friend how many ships had got bulwarks seven feet high. They were mostly four to five feet high.

MR. HAVELOCK WILSON: What I referred to was the main rail and not the bulwarks.

*MR. CAIRNS said that the main rail was at the top of the bulwark and denoted the height of the bulwark. He wanted the Committee to understand that financially this provision would make no difference to a shipowner, but it made a considerable difference to the consumers of wood in this country, because freights were fixed exactly by the expense incurred on a voyage. If the cargo of wood was limited, the price of wood must be higher; and he thought that the consumer of wood would get the first advantage if a larger deck load could be taken. He was sure the Committee would acquit any shipowner of a desire to put in jeopardy the lives of his crew. That would be a horrible charge to make.

MR. JENKINS said that perhaps the right hon. Gentleman would tell the Committee whether his information coincided with that of the hon. Member for Newcastle. He doubted very much whether any vessels had bulwarks seven feet high. He took exception to deck cargoes altogether. To his mind a ship was never designed to carry cargo on deck. The carrying space was in the hold. Would anyone put on the deck of a ship, apart from timber, cargo such as coal? The stability of a ship must be considered and the way in which it should be loaded. His own knowledge of a ship's construction led him to believe that the deck of a ship was never meant for that purpose. It was suggested that although a deck cargo might be carried above the main rail, yet there was a temporary bulwark. What was that? They simply got a few deal boards lashed together fore and aft. They could only speak of a bulwark in the case of a vessel with a well deck. He understood that the reasons assigned for this temporary bulwark was the safety of the men who had to patrol the deck day and night, and not for the purpose of carrying cargo. He wanted the right hon. Gentleman to understand that timber could not be carried to the utmost capacity of the ship in the same way as dead weight cargo could be carried. Then, what about the top weight, if a ship was loaded inside and three or four feet of cargo was placed on the top of it on deck? He had seen steamers coming into port with a cargo of timber with a great list to port or starboard, and that was because the whole of the coal in one of the bunkers had been consumed. He also found that according to the Bill the covered spaces could be loaded. He always understood that the alley-ways were meant for the protection of the seamen, but if they were filled up with cargo the men who had to patrol the deck would be subject to being swept away when a heavy sea broke on board. He hoped the right hon. Gentleman would consider this question of deck loading and allow the clause to be amended or ended, and he would prefer the latter.

MR. HAVELOCK WILSON said he knew of many cases in the Baltic trade where he had endeavoured to obtain compensation for men who had been injured in consequence of vessels carrying to foreign ports excessive timber loads such as would not have been allowed to come to the United Kingdom. He therefore thought he was entitled to resist this proposal. They expected more from a Liberal Government than from all other Governments. ["Why?"] Because the Liberal Government had sympathy with the working classes. ["Oh!"] He hoped, however, he should have the unanimous support of his Conservative friends, upon whom he did not cast any reflection. He would repeat, however, that they expected something better than this from a Liberal Government. Who had asked for this change? Could the right hon. Gentleman name any body of seamen who had passed any resolution asking that the deck load should be increased from three feet to seven feet because it would be more comfortable? Had any individual seaman put forward such a proposal, or had any officer or captain done so? It appeared that it was only the shipowners who demanded it, but he thought they might be satisfied with what they had obtained in respect to the load line and not come forward with this proposal to increase the deck load. It had been said that it would be better to have the timber up to the height of the bulwark, but many of the ships only had a rail. In that case what would happen if the rail was washed away? The bulwark was a solid plate which was part of the vessel, but there was nothing to prevent the shipowners making the rail seven feet high and filling the space up with timber. What, in the case of a heavy sea breaking over the vessel, would happen to the rail? The deck cargo and, what was of infinitely more importance, the crew, would be swept into the sea. He was speaking of flush deck vessels with only a rail and no bulwark. and he had seen similar events happen in the case of cattle pens on the deck. He had seen a sea come on board and sweep the whole lot overboard as if they were matches.

*MR. CAIRNS supposed that the hon. Member would admit that the open rail was never seven feet high.

MR. HAVELOCK WILSON said he admitted that now it was never more than three feet or four feet, but if the shipowners wanted to take advantage of this clause there was nothing to prevent their making the rail seven feet high. The hon. Gentleman seemed to think that the shipowner would not do that, but the shipowners' business was to make profit by getting as much carrying capacity as he could out of the ship. He did not say that the shipowners were regardless of the lives and limbs of their men, but they took risks which the sea did not recognise. One did not go to sea as one went to church; at sea they met emergencies. Where was there any support for the statement that there was ample precaution in regard to this deck carrying of seven feet of timber, and what precautions were to be taken for the protection of the lives of men? A temporary bulwark was no good, as it merely consisted of uprights with some planks fastened to them. Moreover, he might point out that while ships leaving the United Kingdom were not allowed to have more than three feet of timber on the deck during the winter months, ships going to Continental ports could carry larger deck cargoes. The result was that every winter lives were lost through the carrying of excessive cargoes of deck timber. He should stand by his original proposal to reject the clause entirely.

MR. BONAR LAW (Camberwell, Dulwich) said it was perfectly easy to understand the ground on which this alteration was made. It arose from the difference of construction in the building of ships. Seven feet of deck cargo could now be safely carried by ships that formerly could only carry three feet. The hon. Member for Middlesbrough was really confusing two issues. If the hon. Gentleman could show that the increase of power to carry deck cargoes would add to the danger of the ship and increase the risk of loss of life on that ship, then he would have made out a very strong case, but he had done nothing of the kind. All he had done was to say that deck cargoes added to the discomfort and increased the danger to the seamen.

*MR. HAVELOCK WILSON did not know what evidence the hon. Gentleman wanted. He had said that ships had been lost through carrying deck cargoes in the winter.

MR. BONAR LAW said that that statement carried out what he had said. The hon. Member said that there had been losses through deck cargoes in the winter under the existing law. How did that affect the issue seeing that those cargoes were carried under present regulations?

MR. HAVELOCK WILSON pointed out that he had said that lives had been lost on voyages to continental ports.

MR. BONAR LAW said that was a different issue. Was it proper to rely on the fact that ships had been lost in the timber trade. Could the hon. Member name any trade in the world in which ships had not been lost? Every shipowner would say that there was greater risk in the case of grain cargoes than there was in carrying timber. The seamen's lives were put before anything else, but the Committee must bear in mind that this was a risky trade, and that risk could not possibly be avoided. If that risk was to be taken into account the only proper course was to refuse to allow any deck cargo to be carried at all, a course which nobody advocated. The hon. Member for Newcastle had said this was not going to do the least good to the shipowners, because the moment they could carry more cargo on a ship the freights would drop and the consumers would get the benefit. That was a fallacy. That argument was based on the fact that the shipowner got the same rate on the ship. It the ships carried more cargo the shipowner must get a larger portion of the benefit. Shipowners in the past had agitated to get the light dues made a national expenditure. They were very much interested because they thought it would affect their own pockets. But if this increased carrying capacity was to benefit the consumer so that the shipowners would not get any benefit out of it the same argument must apply to the payment of the light dues.

*MR. BRACE (Glamorganshire, S.) said he desired to associate himself with the hon. Member in his appeal to the right hon. Gentleman the President of the Board of Trade not to press this clause. He had listened very carefully to the debate and he had no hesitation in coming to the conclusion that a strong case had been made out against the proposal. He noticed that the hon. Member for Dulwich said that the difference in construction was the reason that the shipowners, or the Board of Trade on behalf of the shipowners, were making an application to this House to raise the standard from three feet to seven feet; while the President of the Board of Trade said that deck cargoes of seven feet could be carried with equal safety with those of three feet because of the advance of science in the construction of vessels. But Parliament ought to have some regard for the men who risked their lives at sea, and the genius of the race in ship construction ought to be directed to constructing vessels which should give a lower percentage of loss of life than we now had. What they were asking for was not that the present percentage of accidents in the seafaring industry should be retained, but that the construction of vessels should be a means of reducing the present percentage of accidents. It was not fair to ask for an increased standard from three feet to seven because there had been an improvement in ship construction. One gentleman to whom he had spoken upon this Bill—an expert, though not a shipowner—said that this alteration was a very dangerous experiment to say the least, and that he watched with great apprehension the arranging of the standard, and that he would be watching with grave concern the percentage of deaths in consequence of the increased risk under which the sailors would have to work owing to the increase in the standard of deck cargo from three to seven feet. It was because he regarded it as a dangerous experiment that he said the Committee must not encourage it. His hon. friend the Member for Middlesbrough had based his objection on what he knew from his own experience. If they were going to wait till they saw this new rule in operation, and a demonstration had been given of the increased risk to life and limb by a series of accidents, the Committee would have cause for regret. He thought there could be no doubt in the minds of hon. Members that this was a dangerous experiment, and, that being so, he appealed to the President of the Board of Trade to allow the clause to remain as it was now. The shipowners were getting very great advantages under this Bill and could afford to give this to the sailors. It was because the sailors were the men who would be called upon to risk their lives owing to the increase of the standard that he made this appeal.

*MR. BOWLES (Lambeth, Norwood) thought the position taken up by hon. Members below the gangway was extremely remarkable. The House had, on the Motion of the President of the Board of Trade, repealed all the clauses which made any limitation whatsoever with regard to the amount of deck cargo that should be carried by ships coming to the country. At this moment they were in this position, that as long as the vessel's load-line was not submerged, the owner might load up as much deck-cargo as he pleased—the House having just abolished all the other former limitations in this respect. What the right hon. Gentleman now proposed in this new clause was a new but extended limitation. And, because hon. Members below the gangway thought this new limitation too wide, they were in effect proposing that there should be no limitation at all. He thought these hon. Gentleman would do well to consider a little more closely the real effect of the proposal they were making. With regard to the clause itself, the hon. Member below the gangway, whose knowledge upon this subject was of an expert character, had said that the proper place for a cargo was in the holds, and that ships were not designed to carry cargoes on their decks. It so happened that he had had recently to go with some care into the question of the best form of construction in the latest designs of cargo boats, and he could assure the hon. Member that he was entirely mistaken if he thought ships were not designed to carry deck cargo.

MR. JENKINS: I was speaking of the upper deck.

*MR. BOWLES said so was he, and the hon. Member was mistaken when he said that ships were not constructed to carry deck cargo. The hon. Member for Chatham, the hon. Member for Middlesbrough, and the hon. Member for Limerick talked as though, and indeed directly stated that, a deck cargo was necessarily and always a dangerous and improper thing. He did not agree. He thought he could show the Committee in a few words that, as regards a large and increasing class of cargo boats at least, it was the exact reverse of the truth. The whole principle of the construction of cargo boats had changed enormously and would continue to change. Whatever might have been true years ago in 1876, when the present rules were framed, it was not and could not be true now, and it was less likely to be true as time went on. Let them take one of the most remarkable developments of ship construction, the turret ship.

MR. JENKINS: You do not carry cargo on a turret boat.

*MR. BOWLES contended that cargo was carried on a turret ship. That was his point. The turret ship was a ship which, instead of having its upper deck stretching across to its sides, was built like a bottle having two shoulders and the turret in the centre. The shoulders were awash. The deck cargo on these boats was carried on the shoulders—on what was called the harbour deck. The height of that cargo was to be limited under this proposal to seven feet, a small limitation. He said without fear of contradiction that a deck cargo which was carried in that way upon the shoulders of a turret steamer, so far from being a danger to the ship, was the safest way in which any cargo could be carried in any form of ship. What was its position? If the ship was in danger it was the easiest possible thing to get this cargo overboard. It was not true as a general proposition to say that a deck cargo was necessarily and always a danger. He did not believe it was a danger at all. He believed a great deal of unnecessary alarm had been raised in respect to it, and he was quite certain that this clause, which, after all, had received the careful consideration of those gentlemen who were the expert advisers to the Board of Trade and who ought to know, and who did know, what would be the effect of what they proposed, was a clause which might be usefully passed having regard to the very complicated conditions of the shipping industry, and also to what he agreed was paramount in this matter, namely, the safety of the persons concerned.

*MR. AUSTIN TAYLOR (Liverpool, East Toxteth) said he took it that hon. Gentlemen who had spoken in opposition to this clause recognised that one of the most dangerous things that they could do would be to reject it unless for very good reasons. He had listened very closely to the whole of this debate and he would be the very last person in the world to advocate anything that would increase the dangers to or jeopardise the lives of the sailors. He was not concerned with the origin of this clause. He was only giving his opinion from a practical shipowner's point of view. The bulk of the arguments in the debate had been directed against the carriage of deck cargoes at all. But that was not the question before the Committee at this moment; because if hon. Members really meant that they wished to do away with the carrying of deck cargo altogether it only meant that they were going to place the whole of the timber carrying trade in the hands of foreign shipowners. He thought a much better case might be made out in regard to the increase of the cargo to moderate requirements. The real question before the Committee was not whether deck cargoes were to be carried at all, but whether cargoes of timber were to be carried under a limitation of three feet or seven. He had listened very carefully to the hon. Member for Middlesbrough, who had said that a shipowner might have a temporary rail built up to the height of seven feet, that timber could be carried up level with it, that the rail would not afford adequate protection from the sea, and that cargo might be swept away carrying seamen with it.

Mr. HAVELOCK WILSON: I say that deck loads are secured by means of chains affixed to ring bolts in the deck, and I say it is much easer to secure a load of three feet high than a load of seven feet high; that the strain which you have to meet is not so great; that the larger amount would result in several hundreds of tons more strain.

*Mr. AUSTIN TAYLOR said they were not dealing with heavy wood but light wood. The hon. Member had spoken of vessels, which had been lost in voyages to foreign ports, loaded with eight or nine feet of heavy wood deck cargo. That was a most improper proportion, but that was not the case here. It was limited here to light woods, and not to eight or nine feet but to the height of the bulwark. He thought in the case of a bulwark seven feet would be rather high; in more cases than not the height of the bulwark would be only four or five feet, and if they were going to have a light wood cargo at all, it would be less dangerous if the deck cargo were made level with the bulwarks than as it was to-day. He did not think they ought to do anything to make the calling of the sailor more dangerous than it was now, because it was one of the most risky of all callings. He would suggest that the true way to deal with this matter was to see that the security of the sailors was made greater by having adequate protection in securing the cargo. The fear arose much more from the danger of the deck being awash, but if it were awash the carrying of a light deck cargo was an element of safety. Wood after all was a light substance and it was a well-known fact that a vessel loaded with wood did not sink or founder so readily. Wood was one of the lightest cargoes to carry and one which least affected the bouyancy of a ship. Therefore he felt that this question of a wood deck cargo from the point of view of the bouyancy of the ship was not a danger; the danger arose from the men carrying their duties out with regard to it in wet and bad weather. That was the point to which the Committee should direct its attention.

Mr. LLOYD-GEORGE appealed to hon.Members to give this clause a Second Reading. If they did not there would be no limiting provision at all, and ship masters would be able to load to any extent they chose. He suggested to hon. Members that the Second Reading of the clause should be taken now, and then hon. Members could deal with the specific questions that had been raised in Committee upon its details.

Mr. JOYCE said the argument put forward by the President of the Board of Trade was that owing to the modern construction of ships the danger would not be so great to the sailors through carrying this deck cargo as it had been in the past. If this clause were passed would it apply to all vessels or only to those ships which were built under the new rules? Would there be any differentiation between new ships and old?

Mr. LLOYD-GEORGE said he would rather postpone the answer to that question until they discussed the details.

Mr. HAVELOCK WILSON said he was not satisfied to let this clause go through quite so easily. He knew the forces which would be employed in the next stage of the Bill, and he wanted to get, on this stage, all he possibly could. He was fighting for a great principle. He was fighting for the lives of the men he represented and he would be less than a man if he did not fight every inch of the road. The hon. Member for the East Toxteth Division of Liverpool had spoken upon this matter, but not as a practical man. There were many who sat on the Government side who had had actual experience. He had had the experience of getting a deck cargo overboard, and he could assure the hon. Member that it is not so easy as he appeared to think. There was always the chance of a man's getting broken up—a broken rib or a broken leg—when trying to get a deck cargo clear of the ship. It is not like a ship lying in a dock steady and stable. When a cargo of timber was jettisoned it was generally with a heavy sea running. When the hon. Member spoke with regard to this matter he did not seem to understand the difference between a rail and a bulwark. There was a very great difference. The rail was a little light stanchion with a casing of wood over it. It was not for the purpose of securing the deck cargo. The whole thing would break away and go overboard if it was only secured in that way. A cargo of timber had to be secured by means of chains to ring bolts fixed in the deck, and the difference in the strains between a three feet deck cargo and a seven feet deck cargo would be tremendous when a ship was rolling about in a heavy sea. He did not speak of what he did not know, and he would like to point out to the hon. Member that the present law dealt with the foreigner equally with the British shipowner. If the foreigner wanted to come to a port of the United Kingdom at the present time he must not carry more than three feet of deck timber. He had been in a police court when the captain of a foreign ship was fined £100 at Cardiff for exceeding this limit; so that they were not giving any advantage to the foreigner in any shape or form. As a practical seaman and one who had come into close touch with captains, engineers, mates, and seamen, he said that they did not like deck cargoes. There were many reasons apart from the danger of the deck cargo's being washed overboard. It was impossible to get a level surface the full length of the ship. A space must be left for the steam winches so that men could do the work. It was not so bad in the summer months, because nights were light, and there were not the dangers, but in the winter months it would be shameful to go on board these vessels with seven feet of deck cargo. He could not understand who, at the Board of Trade, was responsible for recommending this proposal. Was the recommendation solely from shipowners? Generally, when he asked for any legislation in this House for the protection of seamen, he was told that there must be a Departmental Committee, which would sit for two years inquiring into the subject and taking evidence, and then its recommendations would not be adopted. But when the shipowner wanted to increase the deck load he could go quite easily to the Board of Trade and say, "The construction of ships is altogether altered now, and we want to increase our deck loads," and the Board of Trade agreed to it. If the shipowners could get their recommendations so readily accepted, he would like to recommend a few things with regard to the manning of ships concerning which Committees had already made inquiries and recommended legislation. If the right hon. Gentleman wanted his support on this matter he could have it by promising to bring in additional legislation that where seven feet of timber was carried permanent bulwarks should be placed above and secured in such a manner as to make it absolutely safe for the men. He knew the shipowners would not agree to that because of the cost. Then why should the men's lives be risked? He appealed to the right hon. Gentleman to re-consider this matter. He was sure that if he took a voyage across the Atlantic or to the Baltic this winter in a vessel which had seven feet of timber for deck load he would support the view he had put forward.

MR. LLOYD-GEORGE said he was thinking the matter out now and having a form of words drafted to give special protection in this matter. He was not sure he could accept the words suggested by his hon. friend, but he would have ready a form of words which he would propose to the Committee.

MAJOR SEELY (Liverpool, Abercromby) said he desired to intervene for one moment as one having taken a practical interest in the saving of life at sea for many years past and in other capacities considered the question of deck cargoes as affecting the safety of ships. There were two points with regard to the safety of seamen which were affected by the increased height of the deck load. One was the safety of the sailor as he went from one end of the ship to the other, and the second was the danger of the cargo going overboard. The added height of the deck cargo militated against the safety of the sailor in both these particulars. Therefore, it seemed rather a strong thing to make so great a change to the disadvantage of the safety of the sailor. It might well be asked why so great a change should be made by the Bill when all knew his right hon. friend the President of the Board of Trade was sincerely desirous of giving quite as much benefit to the sailor as to the shipowner. If it could be shown that the construction of ships made it safe to have a higher load, he would still not be convinced that a jump from three feet to seven feet was justified. He hoped the right hon. Gentleman would sympathetically consider the difficult position in which those who had a special concern in the safety of vessels were and the desirability of rejecting a proposal to raise the limit of deck cargo from three feet to seven feet.

MR. R. DUNCAN (Lanarkshire, Govan) said it seemed to him that only really safe and instructive information could be obtained from naval architects, and he suggested that the President of the Board of Trade, when he made the Amendment which he was evidently going to make, should consult skilled naval architects of repute, who would have at heart the welfare of our trade and seamen and knew all the complicated conditions involved in the designing of vessels.

Question put, and agreed to.

Clause read a second time.

*MR. AUSTIN TAYLOR said he could quite understand the sensitiveness of the Committee about any change being made in deck cargoes which might affect or jeopardise the lives of the sailors, but the series of Amendments, the first of which he now moved, did not affect the question of wood carried on the open deck. Under the clause as it stood heavy wood goods could not be carried as deck cargo at all, and deck cargo as defined in this clause meant any cargo carried either in any uncovered space upon deck or in any covered space not included in the cubical contents forming the ship's registered tonnage. He might explain that there were certain covered spaces upon the deck of a steamer which, being open at each end, were not included in the net registered tonnage of a vessel, and cargo carried in these covered spaces was, according to the definition of this clause, deck cargo. His Amendment would not allow heavy wood to be carried in open spaces on the deck at all, but it would give permission for heavy wood cargo to be carried in such covered spaces as were not included in the net registered tonnage of the vessel, but on condition that they were carried only on such class of ships as might be approved by the Board of Trade, and loaded in accordance with regulations made by the Board of Trade. He thought the Committee would see the essentially reasonable character of the Amendment. In these covered spaces at the present time any cargo could be carried—coal, steel rails, and cattle. But the absurdity of the position was that the wood fittings which had to be used for the purpose of accommodating the cattle might not be carried if the cattle were not there. His Amendment, if carried, would not allow heavy wood goods to be carried any more than was the case now upon the open deck. All it would do was to allow, under regulations which he thought would make it absolutely safe from the point of view of the ship and of the sailor, heavy wood goods to be loaded in covered spaces on the deck; forming part of the permanent structure of the ship, where much heavier cargo was loaded to-day.

Amendment proposed to the proposed new clause—

"In line 4, after the word 'heavy,' to insert the words 'or light.'"—(*Mr. Austin Taylor.*)

Question proposed "That those words be there inserted."

MR. LLOYD-GEORGE said he was not sure that some kind of arrangement could not be arrived at as suggested by his hon. friend. He had gone carefully into the question, and he agreed that some words ought to be inserted in order to provide for the safety of the lives of seamen should there be any additional risk through loading up to seven feet. The matter, however, required very careful consideration. Perhaps he might be allowed on this Amendment to read out the words which he proposed to move later on. The words were, "Provided that regulations may be made by the Board of Trade for the protection of seamen from any risk arising from the carriage of goods at such a height; and these regulations must be complied with on the ship." If this proviso were inserted no harm would be done by accepting the Amendment, which would confine the extension to those ships which were adapted to the purpose. They had proceeded so far very largely on the principle of give and take with very good results, and he thought the representatives of the sailors might accept the amendment if the shipowners also agreed to his additional words.

MR. HAVELOCK WILSON thought the compromise was a fair one and that it showed the advantage of having a matter of this kind thoroughly thrashed out. Although they had taken some considerable time over it, he did not think that time had been wasted; at least he felt satisfied he had discharged his duty, and if anything should happen to men through deck cargoes he would know he did his level best in fighting for them. But he thought the proposal of his hon. friend was of such a kind that it would meet the case. All he wanted to do was to safeguard the lives and limbs of the seamen, and he certainly fell in with the recommendations of the right hon. Gentleman.

MR. JENKINS entirely agreed that, if deck cargoes were to be carried, it was far better that the suggestion of the President of the Board of Trade should be adopted, but he called the attention of the right hon. Gentleman to the fact that these spaces were not included in the net registered tonnage of the ship, and when these ships were constructed great care should be taken that no injustice was done so far as the tonnage measurement was concerned.

***MR. CAIRNS** said there were no two sides to the question that they must take every precaution for the safety of the sailors, and he would only say that most shipowners—and he could speak for himself—instructed the captain that, when loading timber cargo, before leaving port the stanchions all round the cargo must be up and the life lines fixed. They were perfectly willing that the Board of Trade should consult with those interested on the other side so as to come to some practical settlement in this matter calculated to ensure the safety of the sailors.

Question put, and agreed to.

Amendments proposed to the proposed new clause—

"In line 4, to leave out the word 'or.'"

"In line 5, to leave out the words 'any light wood goods as deck cargo.'"

"In line 8, at end, to insert the words '(2) The conditions under which heavy wood goods may be carried as deck cargo are as follows:—(a) that they must only be carried in covered spaces, and (b) that they must be carried only in such class of ships as may be approved by the Board of Trade for the purpose; and (c) that they must be loaded in accordance with regulations made by the Board of Trade in respect to the loading thereof.'"—(*Mr. Austin Taylor.*)

Amendments agreed to.

Amendment proposed to the proposed new clause—

"In line 24, after the word 'least,' to insert the words 'Provided that regulations may be made by the Board of Trade for the protection of seamen from any risk arising from the carriage of goods at such a height; and these regulations must be complied with on the ship.'"—(*Mr. Lloyd-George.*)

Question, "That those words be there inserted in the proposed new clause,"—put, and agreed to.

Clause, as amended, added to the Bill.

MR. LLOYD-GEORGE said the clause he now moved to insert was at the suggestion of the Canadian Government, as the result of a case which arose quite recently. It appeared that an agent persuaded a number of compositors to emigrate to Canada on the representation that there was plenty of work for them. When they got there they discovered that they had been imported for the purposes of blackleg labour. There was a strike proceeding in Canada, and they had been engaged simply to fill up the vacancies created by the men who had gone out on strike. Naturally when the men discovered that this cruel fraud had been perpetrated upon them they were very indignant and refused to serve, and the Canadian Government were as angry as anyone. This clause was therefore inserted at their suggestion. He thought it would commend itself to the Committee, and it was with great pleasure he moved its insertion.

New clause—

"The following section shall be substituted for Section 353 of the principal Act, 'If any person, by any false representation, fraud, or false pretence, induces, or attempts to induce, any person to emigrate or to engage a steerage passage in any ship, he shall for each offence be liable to a fine not exceeding £50, or to imprisonment, with or without hard labour, for a period not exceeding three months.'"—(*Mr. Lloyd-George.*)

Brought up, and read the first and second time, and added to the Bill.

Mr. LLOYD-GEORGE then moved a new clause dealing with provisions as to superintendents which, he said, was the result of an arrangement that had been arrived at with the shipowners of the country. Up to the year 1900 the superintendents were not merely appointed by the local marine boards, but were paid out of funds to which those boards contributed. In the year 1900, however, the whole charge was transferred to the Imperial Treasury. Since then there had been no reason why these marine superintendents should be appointed by the marine boards, because the whole burden of their salaries had been borne by the Imperial Exchequer. He did not wish to go into matters more than was necessary, as they had been enabled to arrange them very satisfactorily; but he would like to point out that it was an invidious position for the superintendents that they should be appointed, and liable to be dismissed by one body and paid by another. For instance, the Board of Trade might give certain instructions to the superintendents, and the local marine boards might take a totally different view with regard to the policy involved. He could not discuss any special instance, because it would be out of order. It would have to be discussed on the Estimates. But such a case was conceivable where the Board of Trade and the local marine boards might be at variance in regard to the instructions to the superintendents. Such a thing had happened. What was the superintendent to do in such a case? He was paid by the Board of Trade, but he was liable to be dismissed by the local marine board. Whose official was he? The Board of Trade had certain powers. They could suspend these local marine boards, but it was the kind of thing they did not want to do every time there was a dispute or difficulty with regard to the instructions that had been issued. He did not think it was fair to the superintendent; he ought to know whose officer he was. After all, the main responsibility for the Merchant Shipping Acts was with the Board of Trade. They had to answer to Parliament, who voted the money. The position was an anomalous one. He did not think there was another official who was appointed by one corporation and paid by another. He did not mean to say that the local marine boards did not choose the very best men they could, but there would be an advantage in having a body like this practically belonging to the Civil Service, with the same advantages to themselves and to the service. For instance, if a man did well in one district he ought to be promoted to a larger district in a more responsible position. If, however, it was a purely local appointment it could only be made by sanction of the local marine board, and naturally they would prefer to select a man in their own district. One knew that in the case of a local body, wherever there was an important appointment there was always great local and personal pressure to induce the election of some particular person. He did not think that ought to be the case with regard to these superintendents. They ought to be members of the Civil Service, and wherever a man did well in a subordinate position the Board of Trade should be able to say "Well done, thou good and faithful servant—go to Glasgow, or Liverpool." That was one of the two reasons, the other being that the present system sometimes placed the superintendent in the invidious position of having to defy one master or the other. The position was becoming rapidly intolerable, and it was much better that they should determine the matter once and for all. After talking the matter over with the representatives of the local marine boards, and the Shipping Federation, they had arrived at an understanding, and the removal of the appointment of superintendents from the local marine boards to the Board of Trade had been agreed to. He undertook that when advisory committees were set up under this Bill there should be a sub-committee dealing with local marine boards upon which there would be men, not only representing the Shipping Federation and the shipping combinations of the country, but also the local marine boards, as well as the sailors and the engineers, and that whenever any new departure of policy was suggested by the Board of Trade the opinion of these advisory committees should be taken. He thought that was exceedingly desirable. He was not going to express any opinion upon any new departure that had been initiated of late. But he thought these advisory committees would be very useful, and that the shipping community would be well advised in accepting the proposal. There would be men on the spot whose advice and opinion could be sought, and to whose opinion very great weight would attach. It would also be a great advantage that they should hear what the seamen had to say on the matter, and also the officers.

New clause—

"(1) In the United Kingdom, all superintendents, deputies, clerks, and servants in mercantile marine offices shall be appointed and removable by the Board of Trade, and all superintendents, whether appointed before or after the commencement of this Act, shall, in carrying into effect the provisions of the Merchant Shipping Acts, be subject to the control of and obey directions given by the Board of Trade, except as respects any matter which, under those Acts or any Order in Council made thereunder, are subject to the control of any other Government Department, and a power of removal by this section conferred on the Board of Trade shall be exercisable by the Board as respects superintendents, deputies, clerks, and servants appointed before the commencement of this Act. (2) In sub-section 1 of Section 244 of the principal Act the words 'such of the provisions of this Act as relate to their powers and duties' shall be substituted for the words 'this Act.'"—(*Mr. Lloyd-George.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That this clause be read a second time."

MR. BONAR LAW said this was, he thought, the most objectionable part of a Bill to which he had very little objection. In a sense it would be a relief to have an opportunity to attack the right hon. Gentleman rather than continually to support him, as he had done hitherto. But in this House atmosphere told, and with the number of supporters he had behind him, it was obvious that he must make the attack somewhat milder than perhaps under other conditions he would wish to make it. The right hon. Gentleman had, as usual, made out a very plausible case. He had given grounds which were fairly strong for making a change of the kind proposed, but he had not pointed out to the House what was the real and only reason for the proposal. It was not in the Bill when introduced. It never entered the head of the right hon. Gentleman in Committee, and it was somewhat suddenly sprung on them now. The right hon. Gentleman had proposed it in a very gingerly way. He had assumed that it would be out of order to discuss the very ground on which the change was to made. The fact was that the right hon. Gentleman issued first one circular, and then, having to amend it a month afterwards, he issued another to the local marine boards which had statutory authority as great as that possessed by the Board of Trade. They threatened that they would not carry out his instructions. The right hon. Gentleman felt that he must get the matter put right in some sort of way. He was, to put it very mildly, in a hole, and he himself had not seen how it was possible for the right hon. Gentleman to get out of it with dignity. But he had done so. He called together the members of the local marine boards. They detested the proposals in the Bill, and they meant to fight them. They held all the cards, and they threw them down, and the right hon. Gentleman who had no cards got everything he wanted. [An Hon. Member: "Clever" It was very clever. How did he manage it? By carrying out one of the most successful games of bluff he had ever known. He would not discuss all the points which came before the conference, but he thought he could give a very fair summary of the discussion which took place. He believed the right hon. Gentleman would not deny that it was accurate. He called these gentlemen before him, and this he shrewdly suspected was what took place at the conference. The right hon. Gentleman said, "I propose to make a slight change which will be of administrative advantage in carrying on the work of the Board of Trade. I know you gentlemen do not like it, but I notice that on the Paper of the House of Commons there is a proposal to abolish the local marine boards altogether, which you would like less," and then he added—"This Amendment to abolish the local marine boards is in the name of a Labour Member." The right hon. Gentleman had reversed what had come to be regarded as the order of nature in this Parliament. Up to now, it was the Labour Members who had used His Majesty's Government, but the right hon. Gentleman for the first time was using the Labour Party to effect his purposes. He had succeeded. The hon. Member did not know that the members of the local marine boards were really very much to blame. They did not know the right hon. Gentleman as hon. Members did who had the honour of being his colleagues in this House. They did not know that he had many amiable qualities, and that the sense of responsibility made a great difference in his attitude on many subjects. They only knew him from his platform speeches. He appeared to them as a creature of almost superhuman energy who was prepared to eat the Church of England for breakfast, the House of Lords for lunch, and then to go with a good appetite for dinner. To a being of that kind what were the local marine boards? When he read the account in the Press of this conference between the right hon, Gentleman and the members of the local marine boards he was strongly reminded of another famous conference which was described, he thought, by Voltaire, but he was not sure about that. A cook summoned the poultry to a conference. He explained to them that he wished to treat them with every possible consideration. He said "I have called you together in order to consult with you as to the sauce with which you would like be eaten." There was some commotion, and a member of the deputation got up and explained that they did not wish to be eaten with any sauce. The cook was inexorable, and said "That is wandering from the question." Evidently, the right hon. Gentleman had not that trouble at the conference on the subject of the local marine boards. They discussed with them quite seriously the sauce with which they would be eaten. The right hon. Gentleman had said that it was a compromise. If he ever had a dispute with anybody he hoped it would be settled by a compromise of the same kind. It was a compromise where the right hon. Gentleman got everything he wanted and gave absolutely nothing. He had told the House about the advisory committee. He knew very well that was promised at the time he introduced the Bill.

Mr. LLOYD-GEORGE: It is an advisory sub-committee of the local marine boards.

Mr. BONAR LAW said he was really surprised that the right hon. Gentleman should have made that interruption. He had one object in introducing this advisory committee or it was a fraud. The object was to get advice on any subject relating to shipping with which he wished to deal. It left the position exactly where it was. He was bound to say that he thought a change of this kind made to get out of a dangerous difficulty, and to get over a state of matters which was strongly resented by the shipowners, was extremely objectionable, and if the shipowners had chosen to make this the battle ground of their opposition he would have supported them to the utmost of his power, for he felt that in this matter the right hon. Gentleman was so absolutely wrong that the issue might have been doubtful. It was difficult to prophesy about a thing which had not happened.

MR. LLOYD-GEORGE: What I said was that I was not sure that the local marine boards would not have been wiped out.

MR. BONAR LAW: I think as a matter of fact you are taking away from them all their powers and you might just as well wipe them out.

MR. LLOYD-GEORGE: No.

MR. BONAR LAW: Well, all the powers that they valued. A good fight could have been made for them. He did not intend to oppose the Amendment. At the same time he thought the step taken by the right hon. Gentleman was one which ought not to have been taken.

*MR. AUSTIN TAYLOR said he could not allow the speech of the hon. Member for Dulwich to pass without a few words of comment. He was present at the famous conference to which the hon. Member had alluded, and he could not admit that the parallel which he hrd drawn between that conference and the one between the cook and the poultry was applicable. He thought he detected a tinge of envy in the reference by the hon. Member for Dulwich to the mingled dignity and dexterity with which his successor in the office had emancipated himself from what might have proved to be an exceedingly embarrassing position. He thought the hon. Gentleman ought to have considered before making a speech which, while smothering the right hon. Gentleman with compliments, contained an extremely sinister and left-handed compliment to the shipping interest. The hon. Gentleman had insinuated that the representatives of the shipping interest had allowed themselves to become the victims of a clever artifice. On behalf of the shipping interest might he say that he did regret the circumstances which had been alluded to by the hon. Gentleman, and which had led up to the position in which they found themselves in regard to this clause? The local marine boards had been closely associated with the commercial life of the country for, he thought, fifty years, and at the various ports they had been a most useful means in bringing shipowners into the local commercial administration. No allegation had ever been successfully brought against them of failure in their duty.

MR. HAVELOCK WILSON: I have brought such allegations.

*MR. AUSTIN TAYLOR said he was certain that the hon. Member would bring accusations against all forms of authority of which he did not approve. He did not think that the hon. Member could bring an accusation successfully against the local marine boards. They had in his judgment most successfully discharged their duties for all these years with assiduity and zeal and with great benefit to the ports in which they were located. He shared the opinion that this was not the most fortunate or happy moment to choose for taking away the powers of the local marine boards, but he did not desire to raise controversy on the point. Circumstances had to be faced. He entirely denied the construction which the hon. Member for Dulwich had put on the arrangement. They had now secured what he believed to be a reality in an advisory committee upon which the local marine boards would have representatives. His hon. friend said that it was open under the Bill they were now discussing to form an advisory committee. Of course it was open, but surely that was a very different thing from a binding and honourable understanding that a committee would be formed and that the local marine boards would be represented.

MR. HAVELOCK WILSON: Where will they be represented?

*MR. AUSTIN TAYLOR said that was part of the understanding. They would be there to express their own point of view, and any departure of moment in the administration of the local marine boards would be submitted to them before it was put in operation. It was all very well from the Party point of view for the hon. Member for Dulwich to get up and tell the Committee that this was an illusory bargain, that really nothing had been conceded, beyond what was already in the Bill, and that the President of the Board of Trade had been the victor. He hoped the House would not be misled by the Party artifices of the hon. Member for Dulwich. He regretted that any of the powers of the local marine boards should have been taken from them, and he shared the criticisms of the hon. Gentleman opposite as to the manner of their taking off, but at the same time he claimed that they had received a valuable *quid pro quo*, and he trusted that the services of the sub-committee in future would enable his right hon. friend to be more happy in the orders he issued to these bodies.

Mr. HAVELOCK WILSON said he wanted to save the time of the Committee if he could. He had an Amendment on the Paper which he did not intend to press, but he would take this opportunity to say what he had to say, and afterwards withdraw the Amendment. The hon. Member for Dulwich had paid a very high compliment to the local marine boards. He himself had been a member of a local marine board for fifteen years, and he supposed that he was the only member of that board in the House of Commons at the present time. He could speak with personal knowledge of the work of these boards. In his opinion, a local marine board, as at present constituted, was a shipowners' society and nothing else. The Committee had not yet considered how these bodies were constituted. There were six members elected by the shipowners, and four members appointed by the Board of Trade. He knew of one case where the whole of the Board of Trade representatives were shipowners, so that practically the board was composed of shipowners. The hon. Member for the East Toxteth division of Liverpool had stated that no charge could be successfully brought against these boards. He had tried to bring a charge against them, and he hoped he had succeeded. He knew that the local marine board for North Shields at one time never had a meeting for five months, and it was not until he put a Question to the late President of the Board of Trade calling his attention to the fact, that it resumed its meetings. After that they did manage to have meetings. He was a member of a local marine board which he considered the best—not because he was a member of it, but because it was the only local marine board in the country that had transacted its business in a proper manner. He hoped he had proved by Questions addressed to the President of the Board of Trade, that, although local marine boards were in existence, they were not doing their duty. He would like to explain to the Committee the powers which were vested in the local marine boards. When the Act of 1854 was passed they were constituted to appease the shipowners of that time, and to get over their opposition to that measure. The Government consented to their being established, and the shipowners had to pay so much for every ship they "signed on." He reminded hon. Gentlemen who were interested in shipping that the seamen also had to pay on being engaged. He himself had to pay 7s. in one year as shipping fees. Every seaman engaged had to pay a shilling for engagement, and at the termination of the agreement he had to pay another shilling, so that the sailors and firemen were contributing towards the expense of the maintenance of the local marine boards and the mercantile marine offices, though they had no representation on the boards. It was only in 1892 that they obtained representation on the local marine Boards, and he was one of the seamen's representatives appointed. What were the powers of these boards, and how did they affect the situation? He was going to put the case by stating what happened to himself. When he took up the cause of the seamen and commenced fighting their battle he was engaged at the Port of Sunderland. The average wage at that time was £3 15s. 0d. a month. A captain who was engaging a crew wanted to pay £4, because he said he was desirous of having good men, and that he did not mind paying 5s. a month more if he could get a good crew. When the crew went into the office to "sign on" the deputy superintendent objected to the master of the ship giving them £4, alleging as his reason that if this master gave £4 other crews would demand the same wages. [AN HON. MEMBER: Why not ?] That was just the question he asked, and he objected to the interference of this man. He reminded him of the fact that he was a Government official receiving payment from the State, and that it was no business of his to interfere in the bargain between the crew and the master as to the wages to be paid. Immediately he made that statement the official gave an order to a policeman that he was to be put outside. He might say that the members of the crew did not take that lying down. They said that if there was any putting out to take place they would all have a hand in it, and while the controversy was going on the deputy superintendent changed his mind. That officer thought there might be a rough time, and the crew got "signed on" at £4 a month. What was the reason for the deputy superintendent's taking up that attitude ? It was entirely in consequence of the fact that he held his position from the local marine board, and as shipowners constituted that board he thought he was serving the interest of the men who paid his wages and to whom he looked for promotion.

MR. AUSTIN TAYLOR: Does the hon. Gentleman suggest that this official was instructed to do this by the members of the local marine board and to say that there was to be no increase in wages ?

MR. HAVELOCK WILSON: If the hon. Member will pardon me, I have not said that. If the hon. Member is going to object, let him challenge what I say and not what he thinks I have suggested. I say that the influence of the local marine boards over superintendents has been in the direction of compelling these superintendents against their better judgment to favour the side of the shipowners against the seamen.

MR. AUSTIN TAYLOR: I do not wish unnecessarily to interrupt the hon. Gentleman, but in fairness I think I ought to point out that he is merely putting before the Committee his own construction of the influence of the local marine boards. He does not give any proof that the action of the man was due to the influence of the local marine board.

MR. HAVELOCK WILSON said he did not know what more the shipowners wanted. He himself had been for fifteen years a member of a local marine board, and he knew what happened there. He knew of a case where a deputy superintendent was required, and they applied to London for a man, saying in their application that they wanted a man who was favourable to the shipowners. He asked the hon. Member for Liverpool to take it from him that that was absolutely correct. He was making no charge against persons whom he regarded as some of the best Civil servants in the country. He made no charge against these men of doing anything wrong at all; what he wanted to point out was that the shipowners who did not pay their wages—the State paid them—might interfere and retard their promotion. The mercantile marine superintendents had to decide disputes between masters and seamen involving amounts up to £5. They were under the control of the local marine board, and might have to decide a case of a ship owned by a member of a board, and it was natural that they should be influenced by a desire to further the interests of the men to whom they had to look for promotion. In the administration of the Factory Acts would an ordinary working man be satisfied if an employer was in a position to say what the inspector was to do; or in the administration of the Mines Acts would a miner be satisfied if the mine owners were to supervise what the mine inspectors were to do ? If they were going to have local marine boards at all let them have equal representation all round and for all parties, and not as at present local marine boards which were nothing else than shipowners' societies. Coming to the question before the Committee, he thought the hon. Member for Dulwich had a very weak case when he attacked the President of the Board of Trade on this matter. The demand of the seamen was that when a seaman was being discharged at the mercantile marine office and deductions were made from their wages they should have a right to call in a representative to present their case. The President of the Board of Trade thought that that was a very reasonable request, and said that he would consider the matter. But what did the local marine boards do? They became passive resisters and defied the law. [AN HON. MEMBER: No.] He maintained that the President of the Board of Trade was quite right in his contention that he had the power under the Act to grant this representation, but this clause had been put down to make the matter sure. A large number of seamen on board British ships were foreigners, who could not speak English very well, and many of them could not speak English at all; and he held that if these men were to put their case before the shipping offices, they should have a man to represent them.

THE CHAIRMAN: I really do not understand how this matter comes within the scope of the Motion before the Committee, which is, that the clause be read a second time.

MR. HAVELOCK WILSON maintained that the proposal of the President of the Board of Trade that the seamen should be allowed to call in a representative to present their case was a reasonable one, and nothing would have been heard about it had not some members of the Shipping Federation made a great deal of noise about nothing.

*MR. BOWLES said that in spite of the very able speeches to which they had listened hon. Members could not have thoroughly grasped the real meaning of this vital proposal. At this time of day they were used to the notion of the interference of officials of Government departments in industries of all kinds, but such interference was a recent thing in connection with the shipping interest, on which the prosperity of the country chiefly depended. It was not until 1850 that there was any interference by the State in regard to the contracts of employment of the shipping industry. That interference was made entirely on the ground that it had become necessary to defend British seamen, not against their employers, but against the crimps at shipping ports. In 1850 a Merchant Shipping Bill was passed, which, for the first time, laid down that a seaman was not to be engaged or discharged in a British port except before officials at a shipping office. These officials were to ascertain first of all that the seamen understood the contract into which they entered, and, secondly, that the terms of the contract had been carried out. That was a proposal against which not a single voice was raised; but it at once became apparent that it constituted an invasion of the undoubted rights of the shipowners. So far as the seamen were concerned it was all gain; but it was otherwise with the shipowners, who, while very ready to protect their men against the "crimp," felt that, unless precautions were taken, their business might fall entirely under the control of a centralised bureaucracy. That feeling was shared by the Liberal Government of the day, and on the 20th June, 1850, Mr. Labouchere, then President of the Board of Trade, in introducing the Mercantile Marine (No. 2) Bill said that the main object of that Bill was the necessity of protecting the seamen from the system of "crimpage." And he went on to say:—

> "He found that the principal objection entertained to the measure, and especially in the great outports, was that it would enforce a system of excessive centralisation, and would bring the shipping interest too much under the control of the Board of Trade sitting in London. Now he felt that to be a question of great difficulty. He had no abstract reverence for a system of centralisation upon that, or any other subject; on the contrary, he was anxious to avoid as much as possible, and still less was he anxious for the patronage which the Bill would vest in the Board of Trade. He believed the shipping masters would have a most difficult duty to discharge; and he should be most happy to get rid of the appointment of those officers if he thought he could do so, without leaving local bodies destitute of any proper check, and without allowing them to become centres of abuse and agitation. He thought that, after a good deal of discussion with parties interested in the matter, he had fallen on a plan which would prevent any system of centralisation, and would at the same time ensure an effectual check against local abuses. He proposed to institute Local Marine Boards in all ports having more than 30,000 tons of shipping engaged in the foreign trade."

Mr. Labouchere then went on to say how these local boards would be constituted, and continued—

> "He believed there would be no danger in allowing the local boards to nominate shipping

officers, and in making the necessary arrangements for the establishment of shipping officers. It had been represented to him, and with great force as he thought, that those officers would be placed in a very difficult and embarrassing position, unless they could preserve the most cordial good understanding with the shipowners. He would, therefore, give the local board the power of nominating the shipping officers; but he would take a precaution against any abuse of that concession by requiring that no salary could be given to those officers without the express sanction of the Board of Trade, which would be responsible for the expense of that portion of the proposed system. He would also give the local board a concurrent power with the Board of Trade of instituting investigation into the conduct of all masters of ships against whom there was *prima facie* evidence that they had abused their powers."

The Committee would see that the local marine boards were instituted in 1850, in order to prevent what he believed to be a real danger, the putting of the most delicate and important details of the shipping business under the permanent harrow of the Board of Trade. He said without fear of contradiction that these boards, so constituted, with fifty-six years experience behind them, had worked extremely well, and in the interests of everybody concerned. They had been perpetuated by every shipping Act passed since then, and had been conducted without any real complaint being made and substantiated against them. But, although those boards had worked to the satisfaction of everybody else, it had become perfectly well known that they had for some years past incurred the jealousy and hostility of the Board of Trade. He had shown that when the marine boards were first instituted, one was to be appointed in every port which had more than 30,000 tons of shipping; and making allowance for the increase of the mercantile marine of this country, if the Board of Trade had carried out the repeatedly expressed intentions of Parliament, they would have set up a local marine board in every port which had 200,000 tons of shipping to-day. Owing to the action of the President of the Board of Trade and his predecessors this had not been done, and a most anomalous state of things had been created.

MR. J. WARD (Stoke-on-Trent) rose to a point of order. He understood the ruling of the Chairman a moment ago to be that they were now discussing the question of whether the Board of Trade or the marine boards should appoint the superintending officers of those boards, and that everything else was irrelevant.

THE CHAIRMAN said that was not the ruling. He was aware that they were listening to a rather long excursion into ancient history in the speech of the hon. Member, but he had not seen his way to call him to order.

*MR. BOWLES said he desired to point out that this proposal of the President of the Board of Trade was not a mere afterthought as it looked to be, but was part of a studied policy which had been carried on for the last thirteen, fourteen or fifteen years by the Board of Trade, and which had largely defeated, and would now totally subvert, all the previously expressed intentions of this House. Because these local marine boards got into their way they had done everything they could to prevent new boards being appointed in ports which were certainly entitled to have them. Although Aberdeen with 115,612 tons of shipping entered and cleared had a local marine board, Southampton, with nearly 2,500,000 tons of shipping, in spite of the urgent requests of the port, had been refused one. Plymouth, with 306,276 tons, had a local Marine Board, while Swansea, with over 1,000,000 tons, had not. Greenock, with 152,870 tons, had a marine board, while Newport, with 1,854,310 tons, had not. Dublin, with 275,612 tons, had a board; Middlesborough, with 1,317,590 tons, had not. Sunderland, with 878,213 tons, had a board, while Manchester, with 1,814,968 tons, had not. Many of these ports which had not these local marine boards had urged the President of the Board of Trade to be allowed to have one, and it appeared to him that the refusal was the climax and consummation of a long campaign the result of jealousy of the boards, because they got in the way of the officials of the Board of Trade. There were seventeen local marine boards at this moment, the last created at Cardiff in 1893. There ought to be at least thirty-three. The present system, under which the control of the business of the mercantile marine offices and the appointment of the superintendents were vested, not in the Board of Trade but in the local marine boards, had worked admirably for over half a century, and in his judgment it ought not to be abrogated. He did not think that the statement that these boards had worked admirably could be contradicted. What were the complaints against them? Who had complained? Had the shipowners? On the contrary, the shipowners had always demanded an increase rather than a diminution of these excellent bodies. Had the captains of ships conplained?

*THE CHAIRMAN said he did not see what this clause had to do with the creation of new marine boards.

*MR. BOWLES was much obliged for the ruling, which, of course, he would not transgress, but what he said and must repeat was, that the President of the Board of Trade had not shown any cause for the policy he was adopting. He could not do so, because there did not exist one single good reason founded upon any ground of public policy or public interest for this astonishing revolution which was now proposed, at the last stage of this Bill. But although there was no public reason there was an excellent departmental reason, and to that reason he should like to draw the attention of the Committee before he sat down. For the last fifty-six years these local marine boards had been working, and for the last fifteen or twenty years they had incurred the hostility of the permanent officials of the Board of Trade.

MR. HAVELOCK WILSON asked whether it was in order to keep on making charges against the officials of the Board of Trade, who could not defend themselves.

*MR. BOWLES said that last year the Board of Trade issued to these boards a circular ordering them to do something, which need not be referred to as it was of no importance--but the Board ordered them to do something which they desired them to do but which the local marine boards did not wish should be done. The result was that the seventeen local marine boards stood up against the right hon. Gentleman, and his department proved that his action had been *ultra vires* and quite improper, and made it plain that the right hon. Gentleman, who was so anxious to manage everybody else's business, had in this respect been quite incompetent to manage his own. The marine boards said that they were not going to carry out the orders of the right hon. Gentleman, which he had not the slightest power to impose upon them. It was for that reason, and that reason alone, that at the last moment when the Bill was in its last stage the right hon. Gentleman had cut the knot and said, "Very well, you boards point out that I have been making illegal and improper demands upon you, therefore I will abolish you altogether." That was not a proper way in which to make a vast change in an administration which had lasted for nearly sixty years. The Board of Trade, which had created these boards, was now seeking to destroy them; and the right hon. Gentleman was acting no better part than that attributed to Ugolino, who devoured his own children in order to preserve to them a father. The result would be that the whole shipping trade of this country, which was our most important industry, and the whole delicate machinery of our merchant navy would be handed over body and bone to the permanent officials of the Board of Trade. That was a vast change and he thought it an unfortunate one. It was a change which ought not to be attempted to be carried out in the casual, offhand and after-thought manner which the right hon. Gentleman was now pursuing. They had been told that the shipowners had agreed, but nobody, after listening to the speech of the hon. Member for Dulwich, could have any doubt about what the nature of that agreement was. The right hon. Gentleman had said he was going to appoint an Advisory Sub-Committee to deal with this matter, but there was nothing about that in the Bill, and even if it were true there was nothing in the proposal, because all the centralised committees in the world would never give back the local powers which were now being taken away. The superintendents would henceforward be the mere creatures of the Board of Trade. They would, indeed, in some cases, have the husk of a local marine board behind them, but, whatever those boards might say, and whatever the Advisory Sub-Committee might advise, the superintendents would be bound to obey the orders of those to whom they owed their appointments. If the shipowners or anybody else believed that the emasculation of these local boards was going to be made up for by a perfectly impotent and purely advisory committee in London they were mistaken. For his part, if they went to a division on this clause, he should certainly vote against it; because it carried out an enormous and far-reaching change; because it proceeded upon absolutely no ground of public interest or policy which had been or could be advanced; because it was the outcome of mere Departmental annoyance pitchforked into the Bill at the last moment; because it would upset the system which for the last half century had worked well; and because a proposal of this sort ought not in any case to be introduced and carried through the House upon the very cursory remarks of the right hon. Gentleman in charge of a Bill which did not itself foreshadow or hint in its previous provisions at any such proposal.

Question put, and agreed to.

Clause read a second time.

Question put, "That this clause be added to the Bill."

The Committee divided:—Ayes, 239; Noes, 24. (Division List No. 413.)

AYES.

Abraham, Wm. (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Ainsworth, John Stirling
Allen, A. Acland (Christchurch
Ashton, Thomas Gair
Asquith, Rt.Hn. HerbertHenry
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A.(Finsbury, E.)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Bethell, T. R. (Essex, Maldon)
Black, ArthurW.(Bedfordshire)
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brooke, Stopford
Brunner, Rt.Hn.SirJ.T.(Chesh.
Bryce, Rt.Hn.James(Aberdeen
Burns, Rt. Hon. John
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, RtHn.RichardKnight
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clarke, C. Goddard
Clough, William
Coats, SirT.Glen(Renfrew, W.)
Cobbold, Felix Thornley
Collins, SirWm.J.(S.Pancras,W
Condon, Thomas Joseph
Cooper, G. J.
Corbett, A. Cameron (Glasgow)
Corbett, C.H.(Sussex,EGrinst'd
Cotton, Sir H. J. S.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Crooks, William
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dillon, John
Dolan, Charles Joseph
Donelan, Captain A.
Duncan, C. (Barrow-in-Furness
Duncan, Robert(Lanark,Govan
Dunn, A. Edward (Camborne)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Everett, R. Lacey
Faber, G. H. (Boston)
Ferens, T. R.
Ffrench, Peter
Fiennes, Hon. Eustace
Flavin, Michael Joseph
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Ginnell, L.
Glendinning, R. G.
Goddard, Daniel Ford
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Hardie, J. Keir(MerthyrTydvil
Harmsworth, Cecil B.(Worc'r)
Hart-Davies, T.
Harwood, George
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hedges, A. Paget
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen, W.
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hogan, Michael
Holland, Sir William Henry
Horridge, Thomas Gardner
Hudson, Walter
Idris, T. H. W.
Jenkins, J.
Johnson, John (Gateshead)
Jones, Sir D. Brynmor(Swansea
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John(Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, SirJosephF.(Accrington)
Lehmann, R. C.
Lever, W. H. (Cheshire, Wirral
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Macdonald, J.M. (Falkirk B'ghs
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
Manfield, Harry (Northants)
Markham, Arthur Basil
Marnham, F. J.
Masterman, C. F. G.
Meagher, Michael
Menzies, Walter
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murphy, John
Myer, Horatio
Napier, T. B.
Nicholls, George

Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norman, Sir Nenry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary, Mid
O'Brien, Patrick (Kilkenny)
O'Donnell, T. (Kerry, W.)
O'Dowd, John
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Paul, Herbert
Pearce, William (Limehouse)
Pearson, W.H.M (Suffolk, Eye
Philipps, J Wnyford (Pembroke
Philipps, Owen C. (Pembroke)
Price, C. E. (Edinb'gh, Central)
Priestley, W.E.B. (Bradford, E.
Radford, G. H.
Rainy, A. Rolland
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rickett, J. Compton
Ridsdale, E A.
Roberts, Charles H. (Lincoln)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rowlands, J.
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, Sir C.E. (Manchester)
Sears, J. E.
Seddon, J.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Smyth, Thomas F. (Leitrim S.)
Snowden, P.
Soames, Arthur Wellesley)
Steadman, W. C.
Stewart, Halley (Greenock)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Taylor, Austin (East Toxteth)
Tennant, Sir Edward (Salisbury
Thomas, Abel (Carmarthen, E.
Thomas, David Alfred (Merthyr
Thompson, J.W.H. (Somerset, E
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walton, Sir John L. (Leeds, S.)
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whiteley, George (York, W.R.)
Whitley, J. H. (Halifax)
Williams, J. (Glamorgan)
Williams, Llewelyn (Carmarthn
Wilson, Hn. C. H. W. (Hull, W.
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Woodhouse, Sir J.T. (Huddersf'd
Young, Samuel

TELLERS FOR THE AYES—Mr. J. A. Pease and Mr. Fuller.

NOES.

Aubrey-Fletcher, Rt. Hn. Sir H
Banbury, Sir Frederick George
Beckett, Hon. Gervase
Bignold, Sir Arthur
Butcher, Samuel Henry
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Corbett, T. L. (Down, North)
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Fell, Arthur
Finch, Rt. Hon. George H.
Hay, Hon. Claude George
Kimber, Sir Henry
Law, Andrew Bonar (Dulwich)
Liddell, Henry
Mildmay, Francis Bingham
Morpeth, Viscount
O'Neill, Hon. Robert Torrens
Parker, Sir Gilbert (Gravesend)
Pease, Herbert Pike (Darlington
Percy, Earl
Thornton, Percy M.
Valentia, Viscount

TELLERS FOR THE NOES—Lord Robert Cecil and Mr. Bowles.

After the announcement of the result of the division,

LORD R. CECIL (Marylebone, E.; one of the tellers) said he had to report that one of the hon. Members appointed as a teller, the hon. Member for Flintshire, did not act and that a considerable delay was caused by his absence.

A LORD OF THE TREASURY (Mr. J. H. LEWIS, Flintshire) was sorry to say that he did not have any notice and was not aware that he had been nominated.

THE CHAIRMAN said he was aware of the delay and nominated another teller.

LORD R. CECIL said he was only anxious that it should not be thought that the delay was due to any fault on his part.

MR. LLOYD-GEORGE, in moving a new clause (Returns as to earnings of ships), said that though not exactly what he would have wished, the clause was the result of long consultation with the shipowners, and they had agreed to it in its present form. He appealed to hon. Members to let them get the Bill before five o'clock.

New clause—

> "(1) The managing owner of every ship registered in the United Kingdom (not being a fishing-boat) shall in each year make a return to the Board of Trade at such time as the Board prescribe, showing the aggregate gross earnings during the preceding year of all ships so registered of which he is managing owner, and it shall be the duty of the Board of Trade to furnish the requisite forms to the managing owner of the ship. The Board of Trade shall not publish or disclose in any way any Returns made under this section or any summary of such Returns other than figures showing the percentage variations from year to year in the aggregate gross earnings returned, distinguishing if they think fit the coasting trade. Provided that nothing in this section shall prevent the Board of Trade from using the Returns to assist them in preparing periodical estimates of the extent to which the relation between imports and exports of the United Kingdom

as a whole is affected by the freight earnings of shipping which reach this country. No person not employed by the Board of Trade in connection with the Returns shall be permitted to see any individual Return, and any person so employed who knowingly makes any disclosure of any matter which the Board of Trade is prohibited from disclosing under this section shall be guilty of a misdeameanour. (2) The forms shall be so framed as to distinguish between ships engaged in the coasting trade and other ships. (3) If the managing owner of a ship fails to make the Return required under this section, or makes a Return which is false in any respect, he shall be liable on summary conviction for each offence to a fine not exceeding ten pounds. (4) Any owner of a ship or other person having the management of the ship or any interest therein, shall furnish to the managing owner any information required by him for the purposes of the return, and if he refuses or neglects to do so he shall be liable on summary conviction for each offence to a fine not exceeding ten pounds. (5) The expression 'managing owner' means the person registered as managing owner under Section fifty-nine of the principal Act, and includes any person whose name is registered as ship's husband or otherwise under subsection (2) of that section."—(*Mr. Lloyd-George.*)—

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. BONAR LAW said the statement made by the right hon. Gentleman was undoubtedly the fact, and he thought he could promise that there should be no unnecessary delay on the part of his hon. friends in respect to discussions upon points in which they were interested.

Question put, and agreed to.

Clause read a second time, and added to the Bill.

New clause—

"Section seven hundred and forty-four of the principal Act (which relates to the application of that Act to certain fishing vessels) shall not apply to ships engaged in the whale fisheries off the coast of Scotland and registered at ports in Scotland, and accordingly there shall be added at the end of that section the words 'and of ships engaged in the whale fisheries off the coast of Scotland and registered at ports in Scotland.'"—(*Mr. Lloyd-George.*)—

Brought up, read the first and second times, and added to the Bill.

*MR. BRACE, in moving a new clause limiting the deductions for propelling power space, said he was quite willing to make a bargain with the President of the Board of Trade. If the right hon. Gentleman could see his way to accept the clause, he would not inflict a speech upon the Committee. Even if the clause had to be explained it would have to be very briefly as he was anxious that the right hon. Gentleman should get his Bill through before five o'clock. He moved the clause on behalf of the dock and harbour authorities, of the pilots, and of some shipowners who were not fairly treated under the present system of shipping measurements. The shipowners had had sufficient deductions allowed to them under the Bill, and the time had come when a stop should be placed on the extra deductions which they had enjoyed under the Merchant Shipping Acts, and would continue to enjoy under the main sections of the present Bill. It was only when one gave attention to this question and considered it closely that one discovered what an unscientific, illogical, and unjust system was in operation with regard to ship measurements. There seemed to be no system at all. Whether the Board of Trade had any rule or not he did not know, but there did not seem to be any. Why shipowners should be given deductions greater than the space they used he could not understand. It violated all the principles of trade and commerce of this country. Under Clause 78 of the Merchant Shipping Act if 13 per cent. was required for propelling space they were allowed 32 per cent; if 40 per cent. was required for propelling space, they were allowed 70 per cent. Why should there be this allowance of more than was actually required? Surely in connection with the shipping industry there were other industries to be considered. Why should this extra space be given to the shipowners at the expense of the pilots and the dock authorities? Shipowners had not to meet the enormous liabilities that dock owners had to bear. As the dock authorities had to carry liabilities which the shipowners had not, he thought the time had come when the interests of the dockowners and those of the pilot should be considered as well as those of the shipowner. As an illustration of the extraordinary system in operation for ship measurements he would quote an extreme case. It was an example of the registration of ship measurements. It was in connection with a steam tug called the "Arcadia." The gross tonnage of that vessel was

179·85 tons, the deduction for propelling space was 152 tons, and the other deductions were 27·82½ tons, so that the total deduction allowed in connection with the propelling space and other things was close on 179·82½, which on a gross tonnage of 179·85 left just half a hundredweight for dock dues to be paid upon. Again there was another vessel known as the "Knightsgarth." That was a vessel of a gross tonnage of 2,655 tons, but the net tonnage was 1,645 tons, the water ballast space, 564 tons, being also exempted from dock and other charges. All this water ballast space was empty when the ship was loaded up, and although it enabled the "Knightsgarth" by reason of the bouyancy that she would not otherwise have, to carry many hundreds of tons more dead weight than she would otherwise carry, she paid nothing to the dock companies for it. It was because the Board of Trade had failed to deal with this question that he now brought it before the Committee. In 1901 under the powers which the Board of Trade had under the Merchant Shipping Act, they issued amending instructions to their surveyors which they said would prevent any vessel getting a registration of less than 40 per cent. gross. But he found hundreds of ships which had a total register of tons of less than 40 per cent. They thought, in connection with all shipping legislation, that, in addition to the ship-owners' case, the dock and harbour authorities and the pilots had a case as well. There were a number of ship-owners who were advantaged under the present system at the cost of other shipowners. Let them take the case of the s.s. "Greenhill." Her gross tonnage was 1,899 tons. The deductions for propelling space were 608 tons, the other deductions were 86 tons and the net register was 1,205 tons. The length of that vessel was 272½ feet. Another vessel sailing to the same port was the "J. Duncan." The gross tonnage of the "J. Duncan" was 1938 tons. The deductions for propelling space were 971 tons, and the other deductions 174 tons, making the net register 793 tons, although the length of that vessel was 297½ feet, as against the 272½ of the "Greenhill."

AN HON. MEMBER: Will the hon. Gentleman give all the measurements of the ships. It is not fair to give only the length.

Mr.. Brace.

*MR. BRACE said that if hon. Members put a series of questions to him of a technical character he would in all probability be side tracked with this clause. He did not propose to be side tracked, and therefore he left the hon. Member to supply the other measurements if he pleased. To carry the argument a step further, to show that the dock authorities and pilots had a very strong case, he would take the ships that were cleared from the Penarth docks with the dead weight exported to register for the year 1880 as compared with the dead weight exported to register in the year 1905. In the year 1880 the total exports were 1,664,000 tons, the register to exports was 65½ per cent., and the average dues paid was 4d. per ton. In the year 1895 the total exports were 3,498,000, but the percentage to register to export had fallen from 65 per cent. to 45 per cent. and the average dues had fallen from 4·24d. to 2·22d. He ventured to use these figures to show that the time had come when, the Board of Trade having failed to deal with the question, the House of Commons, when making a new Shipping Act, must include a clause which should put an end to these disastrous deductions. The dock authorities employed hundreds, if not thousands, of men, and they were spending millions of money. When these dock authorities were by Parliament given powers to make docks, they had certain obligations placed upon them; no matter what they did, they must carry out those obligations. In the case of many of the dock authorities the maximum limit of burden had been reached, and he therefore said on their behalf that the House had no right to place obligations upon them without giving the dock authorities, in some way or other, an opportunity of charging the people who made use of the docks upon the measurements upon which they ought to charge. In a communication with the Board of Trade, dated the 27th June, 1906, the Secretary of the Cardiff Pilotage Board gave particulars showing that there was a serious decrease of registered tonnage, and stated that in 1905 the registered tonnage in these docks was 11,805,009 tons as against 9,547,009 tons in 1895; that the pilotage fees received were £34,796 as against £34,831. That went to show that although there had been an increase in the tonnage of 1,258,000 tons, because of the deduction allowed by the Board of Trade to the shipowners under the Merchant Shipping Acts, the amount received by the pilots had fallen off, and although there was a substantial increase in tonnage, the pilot's fees were £34 less in 1905 as compared with 1895. The House must have some consideration for the dock and harbour authorities, and the pilots, as well as for the shipowners. It was because he believed the time had come when, by a clause in the new Act of Parliament, there should be a limit placed upon the deductions allowed for propelling space that he asked the House to accept this Amendment. He was aware that a Committee had considered the subject, and that the majority of the Committee were not in favour of the clause; but he did not think that the hon. Member for Dulwich would tell the House that the dock authorities and the pilots had not a grievance or that this was a case with which the House ought not to deal. In the interests of the dock authorities, the pilots, and some shipowners, he ventured to submit the Amendment which stood in his name. He begged to move.

New clause—

"In ascertaining the regular tonnage of a ship the allowance made for the space occupied by the propelling power shall, notwithstanding anything in this Act or in the Merchant Shipping Acts, 1894 to 1900, in no case exceed forty per centum of the gross tonnage of such ship less the spaces allowed to be deducted by paragraphs (1) (2) and (3) of sub-section (1) of Section 79 of the Merchant Shipping Act of 1894."—(*Mr. Brace.*)—

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. LLOYD-GEORGE said his hon. friend had put his case very lucidly and very fully. He hoped his example in the latter respect would not be followed by other hon. Members, otherwise this stage of the Bill would not be completed to-day. He sympathised with the hon. Member and with the object of his Amendment, but his difficulty was that it was rather too late to transform the Bill into a Tonnage Bill. They could not on the Report stage spring up and say, "We want to make this a Tonnage Bill." He admitted that there was a very strong case made out for the consideration of the whole question of tonnage. In fact the case made out by his hon. friend was absolutely irresistible. Something ought to be done, there was no doubt, but it could not be done this year, because the question was almost an international one and it had to be approached in a totally different manner. Next year the Government would probably consider it. He understood that the Mersey Dock Board meant to reintroduce a Bill which they had brought in two years ago, the introduction of which led to the appointment of the Committee to which the hon. Member had referred. Then they would come face to face with the question in a prominent form. That Bill would be sent upstairs to a Committee and considered. He did not think he ought to be asked to consider the question at the present stage of this Bill. He could not accept the responsibility of altering the law with regard to tonnage at so late a stage of the measure. All these things were to the detriment of someone. If one vessel was undercharged it stood to reason that another must pay for it; therefore he thought the Government must consider the whole question. But they would require a better opportunity of doing so than now presented itself. He hoped his hon. friend would withdraw his Amendment, and that in the next hour the House would deal with the whole of the clauses that remained.

*SIR JOHN BRUNNER (Cheshire, Northwich) said he was glad to hear from the right hon. Gentleman that the case of the dock owners was quite unanswerable. He sat upon the Committee which considered the Bill of two years ago, and he regretted that the Government of that day threw it out after the very careful hearing that was given to it by a patient and conscientious Committee. He was specially uneasy because the Bill brought forward by the Mersey Dock and Harbour Board largely resolved itself into a quarrel between the Dock Board and the Cunard Steamship Company. The Government were then, as they were now, practically in partnership with that company. He was glad to hear what the President had said, because it had relieved him from the unpleasant duty of animadverting on the character of the Board of Trade

Committee. He, however, blamed the Government for asking the dock companies to come forward at this moment. It was the business of the Government to have dealt with this matter in the Bill at the beginning. How did the matter stand? In 1899 a dock authority was told by Lord Morley, an extremely high authority in all matters of private legislation, that this was a matter which ought not to be provided for by private Bill but by public Bill. Mr. Ritchie, who was at the Board of Trade at the time, said he was not prepared to bring in a Bill. In 1900 Mr. Gerald Balfour, who was then President of the Board of Trade, stated that he was considering instructions to be given with regard to the matter, and he invited the dock authorities to come forward with their own Bills. In that same year the Swansea harbour authority got relief, and again Mr. Gerald Balfour twice repeated his practical order to the harbour authorities of the country to come forward with local Bills. He (Sir John Brunner) objected very strongly to putting on the dock authorities this enormous expense. It was the duty of the Government to settle the question once and for all, and not to compel dock authorities, many of them far too poor, to come up to this House and spend thousands of pounds every year. He was sorry his right hon. friend had refused to amend this Bill and get rid of the grievance. He trusted that the right hon. Gentleman would have the power next year to carry out his undertaking. Next year would bring its own legislation, and this matter might take six or seven weeks. To-day it could be done in five minutes. He could only hope that in the year to come the right hon. Gentleman would have the power to bring the injustice to an end.

MR. LAMBTON (Durham, S.E.) said he only rose to corroborate the remarks of the hon. Baronet who had just sat down in reference to the the Committee which sat in 1904 to consider this question. The Committee, who were unanimous in their Report:, said that they received no assistance whatever from the Board of Trade. He hoped the President of the Board of Trade would give a positive assurance that in the future the Department would be on the side of the dock companies.

*MR. RUSSELL REA (Gloucester) said there were two sides to this question, and when it was stated that the matter could be settled in about five minutes now he thought that was not quite the fact. He would like the hon. Members who were not shipowners to consider th question. These spaces for water ballast, food, fuel, and propelling space constituted the non-earning parts of the ship. The water ballast spaces were constructed for the stability and safety of the ship. It had been the policy of the State to encourage shipowners to increase these spaces, and they were made and added to the ships at great expense, not for the purpose of profit, but for the benefit of the public. The shipowners in the past had been willing to incur this expense, but if they were to be taxed for it every time the ship entered a port they would not be willing to bear it in the future. It would be, he thought, a fair distribution of the public burden if the dock owners contributed one foot more berthing space or one inch more water. In the end there was no loss so far as these dock companies were concerned. What would have happened if the Government had not encouraged shipowners to construct double bottoms for water ballast? The ships would not have been constructed in that form, and the dock companies would be receiving just the same dues as now but on smaller and less stable ships. He should without any hesitation vote against this clause.

*MR. W. HOWELL DAVIES (Bristol, S.) said he was glad to hear the President of the Board of Trade say that he would support the Bill of the Mersey Dock and Harbour Board when they brought up their proposal next year to fix a definite percentage of gross tonnage as the basis of legal charge, instead of the net tonnage as was the custom now. He represented the dock authorities for Bristol, for whom he had endeavoured in various Acts to get some redress in this direction. If the President of the Board of Trade told the Committee to-day that he himself would bring in a Bill to deal with the question and not put it on the dock authorities, the hon. Member for South Glamorgan would no doubt be willing to withdraw his proposal. They wanted this matter settled on an equitable basis. Dock authorities in the last few years had spent millions of pounds in order to bring their property to such a condition of efficiency as would meet the requirements of modern ships, and he was quite sure that if the President of the Board of Trade, instead of hinting that each harbour or dock authority should seek to obtain separate powers, would offer to bring in a Bill himself, it would meet the case much more satisfactorily and get rid of what was felt to be a growing injustice by dock authorities, and would secure a uniform custom throughout the United Kingdom.

*MR. BRACE said that after the explanation of the President of the Board of Trade and his undertaking that if the dock and harbour authorities brought in a Bill to remedy this grievance the Board of Trade would support it, he would withdraw the clause.

MR. LLOYD-GEORGE: Support the reference to the Committee.

MR BRACE: Quite so. He asked whether the right hon. Gentleman would give his attention to the grievance of the pilots, and also deal with those little harbour boards who could not afford to come to the House.

MR. LLOYD-GEORGE assented.

Motion and new clause, by leave, withdrawn.

New Clause—

"Sub-section one of Section twenty-one of the principal Act shall be read as if the following words were inserted at the end of that sub-section: 'and the registry of the ship shall be considered as closed except so far as relates to any unsatisfied mortgages or existing certificates of mortgage entered therein.'"—(*Mr. J. Stuart.*)

Brought up, read the first and second time, and added to the Bill.

SIR GILBERT PARKER, in moving a new clause dealing with pilotage certificates, said the chief object of his proposal was to remedy a grievance. A shipmaster and the mates might pilot a ship up the Thames, if they had had a pilot's certificate from Trinity House, whereas one set of pilots only were permitted to pilot up the Channel and the Thames as far as Gravesend, and another set, the river pilots, then took the ship up to the Port of London. He did not know what was in the mind of those who framed the Act. They insisted that one pilot should not be allowed to pilot a vessel up the Channel and river because of the excessive strain upon the pilot in bad weather. In the interests of the pilots themselves, and in the interests of the vessel coming up the river, the Act divided the pilots into two classes, and every ship coming up the river which was not piloted by the master or the mate had to be piloted by two pilots. He was not an enemy of the shipmasters or the mates, but he did suggest that the small shipowners were practically able under the Act to get their vessels, through permitting the master and the mate to pilot them, up the Channel and the river at a reduced expense. The masters and the mates of those vessels received 40s. and 30s. respectively for the duty. The result was that while the Act prevented the pilots piloting the vessel up the Channel and the river because of the excessive strain, the men who had been on a long voyage, and had undergone the hardships of that voyage, came up the Channel and the river in the summer months and piloted their vessel to the Port of London, only engaging a pilot in the bad weather and in the winter months. If it was a fair thing to compel, because of the strain, the master of a ship to divide the work of piloting a ship where pilots were concerned up the Channel and the river—if that was a sound reason for dividing the pilots into two classes, it was also a sound argument for not allowing the masters and the mates to pilot the vessel up the river to the Port of London at all. On behalf of the masters and the mates of ships who objected to this position, and in fairness to the pilots generally at home, against whom a very unfair competition was directed, he appealed to the President of the Board of Trade to accept this Amendment. He also appealed to hon. Members on both sides of the House to support him in the endeavour to secure from the Board of Trade every sympathy for this clause. He was told that the Committee upstairs had given a decision in the matter, but if that were so he could give precedent for his Motion in the case of other clauses which had been accepted by the President of the Board of Trade. He did not put forward this clause upon the basis of its being a protection for a particular class of pilots. He put it forward in order to remedy an unintentional mistake in the framing of the Act, and to prevent a direct attempt on the part of shipowners to procure for themselves the piloting of their ships by masters and mates with very little expense. The whole position ought to be changed and the Committee would never have a better opportunity than the present for changing it. When they considered that the master and mate of a vessel had not to undergo the same stringent examination as a pilot, that a pilot had to serve seven years, and must be thirty-five years of age before he could obtain a pilot's certificate at all, and that masters and mates had to undergo no such severe training or examination, they would agree with him that the President of the Board of Trade in this particular case would do well to give a sympathetic reply—not a promise of action in the future, but a reply which would enable the Committee at this moment to incorporate into Clause 599 of the Merchant Shipping Act the words he now moved.

New clause—

"Section five hundred and ninety-nine of the principal Act shall be amended as follows :—

"Page 262, line 13, after the word 'pilot,' add 'but shall not be entitled to pilot that ship beyond the limits within which a licensed pilot is permitted to conduct ships unless that ship is engaged in daily trips for pleasure only during the summer season.'

"Section 604, page 264, line 23, after the word 'certificate,' add 'but the Board of Trade shall not grant a certificate to any master or mate authorising him to pilot any ship beyond the limits within which a licensed pilot is permitted to conduct ships, unless such ship is engaged in daily trips for pleasure during the summer season.'"—(*Sir Gilbert Parker.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read the second time."

Mr. LLOYD-GEORGE said this clause, which had been discussed in Committee, really meant that a master must take a pilot aboard at Gravesend, and it was put forward in the interests of the Gravesend pilots. He did not think that the hon. Member was really serious in wishing to press upon the Committee a compulsory clause of this character.

Sir Gilbert Parker.

He was perfectly certain that such an extension would not be sanctioned.

Lord R. CECIL did not think that the right hon. Gentleman quite appreciated the point of his hon. friend. Pilots worked under certain restrictions which were not put on the captains of ships. A pilot was not entitled to pilot a ship all the way up the Channel to the port of London, a captain was entitled to do so if he took out a pilot's certificate. The point in the mind of his hon. friend was, so to speak, that what was sauce for the pilot goose should be sauce for the pilot gander. The right hon. Gentleman did not meet the case fairly by saying that it was an attempt to extend compulsory piloting. If that was his objection it might be a matter to consider whether he should not remove the restrictions now resting on pilots. That would be one way of meeting the difficulty, but it was surely very unfair for the Legislature to have one set of conditions to apply to one set of men carrying on business, and another set of conditions to apply to another set of men carrying on the same sort of business. He thought that his hon. friend was entitled to a better answer from the Government than he had received. He was aware that there existed one of those pernicious understandings between the front Benches that the proceedings on this Bill were not to be delayed beyond five o'clock. He regretted any such undertaking, though he recognised that he was bound by it. He thought, however, this was a matter which ought to be considered more fully by the Government.

Question put, and negatived.

New clause—

"Where by any Act of Parliament or Provisional Order confirmed by Parliament, tonnage, dock, or other rates or dues are or may be authorised to be levied at any port, dock, or harbour upon not less than a prescribed percentage of the gross tonnage of ships, the rates for the pilotage of ships (if levied upon tonnage) in the pilotage district in which such port, dock, or harbour is situate, may be levied upon not less than the same percentage of the gross tonnage of such ships.'—(*Mr. Howell Davies.*)

Brought up, and read the first time.

Motion made, and Question proposed "That the clause be read a second time."

MR. JOYCE said he would like to add a word in support of this clause. He thought the President of the Board of Trade was under a misapprehension. This clause did not seek to alter the existing conditions as to the assessing of tonnage. They only asked that the harbour authorities should be allowed to assess pilotage charges where they were placed on the registered tonnage on the same lines as they charged them at the ports.

MR. KEARLEY said his right hon. friend gave an undertaking when another Amendment was before the Committee that the whole question of tonnage should in the immediate future be re-opened. They were not able to accept this Amendment at the present moment because by so doing they would prejudge the whole question. He would ask his hon. friend if he would be satisfied with this assurance.

MR. W. H. DAVIES asked leave to withdraw the clause.

Motion and Clause, by leave, withdrawn.

MR. JENKINS moved a new clause requiring every foreign going ship of two thousand tons and upwards net registered tonnage to carry a certificated ship's carpenter. In Grand Committee this question was discussed, but even there, as the right hon. Gentleman would remember, very little time was left for the purpose. There was every reason for saying that a ship of two thousand tons and upwards should be compelled to carry a carpenter. In 1894 the Board of Trade appointed a Committee to inquire into the manning of ships, and the Report of that Committee, published in 1896, was to the effect that all foreign going ships, from 1500 to 2,000 tons gross register should be compelled to carry a ship's carpenter. Was it too much then to ask to-day that in view of the decision arrived at on that occasion the President of the Board of Trade should accede to the reasonable request made in this clause? He had not time to show the difference between the carpenter of to-day and the carpenter of days gone by. Some people had the impression that a ship's carpenter to-day was not the man that would be qualified to go on a ship built of steel and iron. The ship's carpenter was used in the construction of the ship. He it was who laid the keel, set the frame of the ship, lined the whole ship, and was there throughout the construction. He was to all intents and purposes the ship's constructor, and while the ship's carpenter might not in private yards execute the work, still the Government must recognise the fact that in the Royal Dockyards he did all the work; and, therefore, from the time that the ironclads were commenced to be built the shipwright succeeded in that direction, and he had held it ever since. He believed in the sincerity and determination of the President of the Board of Trade to prevent loss of life as far as possible. They had been discussing the question of deck-loads, and it provided a typical illustration of what he was saying. In the modern designed ship, for which the President of the Board of Trade had promised to cater for the carrying of deck-loads, there was no man more able and more thoroughly equipped than a sea-going carpenter for putting up rails or making a temporary bulkhead. He had been a foreman in a shipyard. He had had to get a ship upright which had come in with a list. He had seen boats that would never fill because the water ran out. They often heard of a vessel foundering at sea and of the boats being swamped, but in many cases he was inclined to believe that they were not swamped by reason of the sea washing over them, but by reason of their not being able to keep the water out in consequence of the state they were in. He appealed, therefore, to the President of the Board of Trade to allow this clause to go through in the interest of life, and in the interest of a class who had no desire to penalise shipowners in any way. It was a very reasonable request. A carpenter on board ship attended to all the sluice valves and pumps, and he had been on a ship where there had been no carpenter, and where in the fore peak of the ship the sluice had been up half-way and no man could move it up or down. What would happen in the case of a collision in the fore part of the ship? The water-tight bulk-head at the fore part was not protected by reason of this sluice being open, and the water would go through the ship.

New Clause—

"(1) After the thirty-first day of December, one thousand nine hundred and seven, every British foreign-going ship of two thousand tons and upwards net registered tonnage, shall be provided with and carry a duly certificated ship's carpenter. (2) A ship's carpenter shall not be deemed to be duly certificated within the meaning of this section unless he is the holder of a certificate of competency granted by the Board of Trade, or is the holder of certificates of discharge showing at least three years service as ship's carpenter previously to the said thirty-first day of December, one thousand nine hundred and seven. (3) The ship's carpenter shall be rated in the ship's articles as ship's carpenter and provided with a separate berth. (4) If the requirements of this section are not complied with in the case of any ship, the master or owner of the ship shall, where there is no sufficient reason for the failure to comply with the requirements, for each offence be liable on summary conviction to a fine not exceeding twenty-five pounds, and a prosecution under this section may be instituted with or without the consent of the Board of Trade. (5) In this Act the expression 'ship's carpenter' shall mean a person who is able to satisfy the requirements of the Board of Trade for the efficient discharge of the work to be undertaken."—(*Mr. Jenkins.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. LLOYD-GEORGE said his hon. friend had made a very eloquent and powerful appeal on behalf of the carpenters, and he was sure the Committee would recognise it. He was always very loth to refuse anything to a fellow countryman, and he would be delighted to assent to his request, but he was afraid he could not. He had gone into this matter repeatedly, but he was sorry to say he could not see his way to impose this additional burden upon ships. If it were a question of safety he agreed there ought to be compulsion to take a carpenter on board, but all the records of the Board of Trade had been searched and they could not find a single case of complaint of a ship being endangered from the absence of a carpenter. The bulk of the foreign going ships took a carpenter on board, and he thought his hon. friend might depend upon it that it was as much to the interests of a shipowner himself as to that of the master to take a carpenter on board where it was really necessary. At the same time he did not think the law ought to enforce that. The matter was discussed very fully upstairs, and he was perfectly certain that the Bill would never be got through if a serious attempt were made to introduce this clause. He hoped, therefore, his hon. friend would see his way to withdraw it.

MR. JENKINS: Will the right hon. Gentleman hold out some hope of doing something next year?

MR. LLOYD-GEORGE said if he found that there were any cases where life at sea was endangered he would consider the matter.

Question put, and negatived.

New clause—

"Section 136, subsection 2, of the principal Act shall be read as if at the end thereof there were added the following words: "Unless at the time of signing such release the seaman shall give notice in writing to the master of a claim or demand against the owner or master, in which event the settlement shall be taken to have been made without prejudice to such claim or demand."—(*Mr. Havelock Wilson.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. LLOYD-GEORGE intimated that he accepted the principle of the clause and would accept the clause.

Question put, and agreed to.

Clause read a second time, and added to the Bill.

Bill reported, with Amendments; as amended, on re-committal, considered; to be read the third time upon Monday next.

ADJOURNMENT.

Motion made, and Question, "That this House do now adjourn."—(*Mr. Herbert Lewis*)—put, and agreed to.

Adjourned accordingly at five minutes before Five o'clock til Monday next.

HOUSE OF LORDS.

Monday, 19th November, 1906.

PRIVATE BILL BUSINESS.

Clydebank and District Water and Burgh Extension Order Confirmation Bill. Read 3ª (according to Order), and passed.

Dover Harbour (Works, etc.) Bill [H.L.]. Returned from the Commons agreed to, with Amendments. The said Amendments considered, and agreed to.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against: of inhabitants of parishes of St. John the Divine, Kennington; All Saints, Childs Hill; Hockerill; and St. Mary's, St. Helens; of Foundation Managers of St. Mary's National School, Kent. Read, and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions for Amendment of: of inhabitants of Moreton-in-Marsh; and borough of Bury. Read, and ordered to lie upon the Table.

RETURNS, REPORTS, ETC.

EDUCATION.

Statistics of Public Education in England and Wales, 1904, 1905, 1906.

COLONIES: ANNUAL.

No. 508. Somaliland Protectorate (Report for 1905–1906); No. 509. Fiji (Report for 1905).

STRAITS SETTLEMENTS.

Correspondence respecting the expropriation of the Tanjong Pagar Dock Company, Limited.

TRADE REPORTS: ANNUAL SERIES.

No. 3730. Morocco; No. 3731. United States (Philippine Islands).

Presented (by Command), and ordered to lie on the Table.

SUPERANNUATION.

Treasury minute, dated 10th November 1906, declaring that James Hay, turner, Royal Gun Factory, War Office, was appointed without a civil service certificate through inadvertence on the part of the head of his department. Laid before the House (pursuant to Act), and ordered to lie on the Table.

GOOSEBERRY MILDEW.

*LORD HARRIS, in asking His Majesty's Government whether they proposed to take any, and, if so, what steps to prevent the introduction of the vegetable disease known as gooseberry mildew into England, said—

My Lords, I should not have ventured to occupy even a few brief moments of your Lordships' valuable time but for the fact that those who are interested in our fruit plantations feel that the disease referred to in my Question is one that is likely to cause very serious loss and expense to them, and they are of opinion that the Department of Agriculture is not doing as much as it could and ought to do. An American variety of the disease which, unlike the European variety, is very dangerous, was discovered in Ireland four or five years ago, and Ireland, I am told, is full of it at the present moment. The English blackcurrant bush has been almost exterminated by an extremely minute mite, which produces a disease called "big bud," and fruit-growers in this country are very apprehensive that the same may happen to the gooseberry-bush, and that the English variety of the fruit may practically disappear unless a check is put in some way or other upon the introduction of diseased plants. Action of that kind is taken in other parts of the world. In two of our Colonies diseased fruit is destroyed at the port of importation, and in several

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

Continental countries steps have already been taken to prevent the introduction of the American variety of gooseberry mildew. My informants assure me that though the attention of the Agricultural Department has been drawn to the possibility of the introduction of the disease from Ireland no adequate steps have been taken to prevent it. I see that in a reply given in the other House on the same Question it was stated that the disease had already been found in Worcestershire. I am informed that that is an entire mistake, due to a wrong inference being drawn from an incomplete report. It is also alleged that leaflets on the subjects have been issued to agriculturists. I am told that that is also inaccurate, and that all that has been issued is a leaflet on general subjects with two or three lines added on this particular matter. I beg to put my Question to the noble Earl, and to assure him that the taking of active steps by his Department is the only means by which the introduction of this disease into England can be prevented.

THE PRESIDENT OF THE BOARD OF AGRICULTURE AND FISHERIES (Earl CARRINGTON): My Lords, I believe it is the fact that gooseberry mildew has made its appearance to a great extent within the last three or four years in Ireland with somewhat disastrous results. I was glad to hear the noble Lord say that the report that the disease had broken out in two places in the summer in Worcestershire was not true. We have been unable to verify this, but we were informed that the disease was discovered by Professor Salmon, of Wye College, among the imported stocks in Kent during the last few days. Under the present law, however, the Department has no power to prohibit the importation of diseased stocks, to detain them for inspection, or to seize and destroy them. It is not possible, moreover, to state the quantity or the value of the bushes imported, as they are not separately classified in the customs schedules. We are in communication with the customs authorities as to whether they can see their way to alter the classification so that fruit bushes may be stated separately. The total importation is comparatively small and is in the hands of a few nurserymen. We propose to communicate at once with these firms and to give them a warning of the danger resulting from importing fruit bushes from countries where the disease is known to exist. But the question rests largely with the importers. I need hardly assure your Lordships that the Board will do all in its power to advise the importers of the danger, to trace the source, and to inspect any suspicious consignments that may arrive here. I am afraid that this is all the Department can do.

EDUCATION (ENGLAND AND WALES) BILL.

House again in Committee (according to Order).

[The Earl of ONSLOW in the Chair.]

Clause 9:—

VISCOUNT LLANDAFF moved to omit the following provisions from sub-section (2)—

> "(*b*) If they are of opinion that the use of the schoolhouse for the purpose of a public elementary school by the local education authority in accordance with this Act is the best mode of giving effect to the trusts, they may by the scheme make provision for the purpose, subject to such conditions (if any) as to payment or other matters as the Commission think just, having regard to (i.) the grants or assistance, if any, received from public funds towards the building, enlargement, or improvement, or fitting up of the schoolhouse; (ii.) the limited nature of the user thereof by the local education authority; (iii.) the facilities given therein for special religious instruction and the performance of the original trusts; (iv.) the cost of maintenance and repair; and such other circumstances as may in their opinion properly be considered."

He said that their Lordships on Thursday deleted from this clause sub-section (*a*), which imposed upon voluntary schools a condition impossible of fulfilment. Sub-section (*b*) was, to his mind, a more serious one still. It practically enabled, and, indeed, invited, the Commission to turn a school which was under strictly denominational trusts into a Cowper-Temple school if the Commissioners thought that that method of dealing with the matter was the best in the public interest. That was completely ignoring the principle which had always been upheld by the Court of Chancery that if the strict interpretation of a trust was not possible the general intent at any rate of the trust should be followed; and certainly no view which the Court might take of the general interest of the public was allowed to interfere with the express trusts contained in the foundation deed. This, therefore, seemed to him to be a provision entirely in contradiction of the pledge contained in the earlier words of the clause, that—

> "In making any such scheme, the Commission shall act in accordance with the principles followed by the High Court in exercising as the successors of the Court of Chancery the ordinary jurisdiction as to charities inherent in that Court,"

and of the pledges given in the other House of Parliament by the Law Officers of the Crown and by the Minister for Education. As for the remainder of sub-section (*b*), the one-sidedness and the unfairness of it were remarkable. All kinds of suggestions were made, but every one of them adverse to the interests of the owners of the schools. One condition was to him unintelligible—namely, that the facilities given for special religious instruction and the performance of the original trusts were to be taken into account when the Commission came to decide what payment they might think just.

THE LORD PRESIDENT OF THE COUNCIL (The Earl of CREWE): May I interrupt the noble Viscount for one moment? I think it was agreed that these Amendments should be taken more or less piecemeal, and that the noble Viscount's next Amendment should only be discussed down to the word "just." I notice that my noble friend opposite, Lord Camperdown, has an Amendment on the Paper to leave out the remainder of the clause, and it is quite possible that some noble Lords might desire to maintain the first paragraph of sub-section (*b*) but not the four provisoes. I think it would be more convenient if they were taken separately.

VISCOUNT LLANDAFF said he did not see how they could be taken separately as they were all qualifications of the terms that the Commission might make under the sub-section.

LORD ASHBOURNE hoped that the noble and learned Viscount would adopt the suggestion of the noble Earl the Lord President. It was quite possible that some noble Lords would desire to allow the sub-section to stand down to the word "just."

VISCOUNT LLANDAFF said he would consult the wishes of the Committee. He repeated, however, that sub-section (*b*) seemed to him to be an entire contradiction of the principles which had always guided the Court of Chancery in the formation of schemes for the administration of trusts. He begged to move the omission of the words down to the word "just."

Amendment moved—

> "In page 8, line 10, to leave out from the word 'if' to the word 'just' in line 16."—(*Viscount Llandaff.*)

THE EARL OF CREWE: The noble Viscount objects to the insertion of these words because, as he says, they invite the Commission to do something contrary to the practice of the Court of Chancery, and the effect is that denominational schools will be turned into Cowper-Temple schools if the Commission so decide. But the noble Viscount must remember the words at the top of the page, that the Commissioners have to act on the principles followed by the Court of Chancery. A clause of this kind is necessary because it is our intention to devise machinery for the taking over of these schools. As regards the words—

> "They may by the scheme make provision for the purpose, subject to such conditions (if any) as to payment or other matters as the Commisssion think just,"

I am informed that it is very doubtful whether, on the breakdown of a trust, the Court, without some guidance of this kind, had to consider how the trust ought to be carried on, and whether it would be at any rate usual, or even competent, for them to make an order for the payment of any rent at all. Consequently, so far as those words are concerned, they really do act for the protection of the schools in which the noble Viscount is himself interested.

THE MARQUESS OF LONDONDERRY failed to see how the noble Earl could reconcile the provision that the Commissioners were to act in accordance with the principles followed by the Court of Chancery if what they were to do was to be limited in the way proposed. It was understood that the Commissioners would have a perfectly free hand and not be tied in certain directions in the administration of the duties entrusted to them. The words proposed to be left out were to his mind a series of limiting restrictions, which were unnecessary if the Commissioners were to do their duty unfettered.

THE EARL OF CREWE: Is the noble Marquess alluding to the words down to "just," or to the later words?

THE MARQUESS OF LONDONDERRY: I was taking the Amendments of Lord Camperdown and of Lord Llandaff together.

THE EARL OF CREWE: The noble Marquess did not deal with my point as to the question of rent.

LORD ASHBOURNE said that, in his opinion, this clause was intended by the scheme of the Bill to be read in connection with Clause 2, and there the provision was laid down that the owners of a schoolhouse held under a charitable trust might make an arrangement for the purposes there pointed out. Then came in this section to say that the Commission might deal with schoolhouses held under charitable trusts in respect of which no arrangement had been made. The portion of sub-section (*b*) under discussion did not propose to give any revolutionary powers to the Commission, but simply provided that if they were of opinion that the use of the schoolhouse for the purpose of a public elementary school by the local education authority in accordance with this Act was the best mode of giving effect to the trusts, they might, by the scheme, make provision for the purpose, subject to such conditions, if any, as to payment or other matters as the Commission thought fit. He was not prepared to say that there might not be substantial reasons for setting out the powers as they were set out, but it was possible that when they came to consider Lord Barnard's Amendment they would see that some of them were entitled to considerati on.

LORD STANLEY OF ALDERLEY said he was in very substantial agreement with the noble and learned Lord, but they were now dealing with the case where, the owners of the denominational school and the local education authority having failed to come to an agreement, the Commission were called in. The Committee would recollect that in Clause 2 they had made it compulsory on the local education authority, if the owners called upon them to do so, to take over the school, but they had made the preliminary negotiations optional. This clause was drawn up on the supposition that the preliminary negotiations or bargaining, if any, had failed. It would be absurd if, in the case where the owners of a denominational school had called upon the public authority to take over the school and had not come to an agreement as to terms, they were not then to provide that the Commission were to find that the proper way to give effect to the trust was to maintain it as a public elementary school subject to such conditions as they might think reasonable. Parliament never hesitated for one moment, when it dealt with the ancient Universities of Oxford and Cambridge and the colleges therein, to give very extensive powers to the Commissioners. He held that some guide must be given to the Commission as to what was the will of Parliament, and he hoped the noble Viscount would not press his Amendment.

THE LORD BISHOP OF WAKEFIELD supported this appeal, and thought that with certain modifications the sub-section might prove to be not only not prejudicial, but even a protection to many trusts. Under it the Commissioners would be able to deal with many of the trusts in a common-sense way and in a way perfectly consistent with the essential justice of the case.

LORD BARNARD agreed with Viscount Llandaff that but for an exceptional state of affairs there would be no necessity for any of the limitations set out in the sub-section. He doubted whether even the framers of the Bill clearly saw what the result of the whole section would be. At first sight he thought the Commission was to act as a special body to protect the main objects and interests of charities in the altered circumstances, but on further examination he was led to the conclusion that they were to favour the interests of the local authorities, which would very often be diametrically opposed to the charitable trusts. He was strengthened in that view by a remark of Lord Fitzmaurice, who had informed the Committee that the interests of the ratepayers and of the local education authorities were to be considered. He had, therefore, no great faith in the high-sounding direction to the Commission to act in accordance with the principles followed by the High Court of Chancery in the matter of charities.

*LORD COLCHESTER pointed out that the Commission would have far larger powers than the Court of Chancery, or than those given by the Endowed Schools Acts, which might be restrained by either House of Parliament, and asked how the restrictions proposed by these sub-sections to be placed on the powers of the Commissioners in framing schemes were to be enforced. There was not even an appeal from them provided.

VISCOUNT LLANDAFF said he had listened with some surprise to the Bishop of Wakefield approving the sub-section. In truth, its object was to compel trustees who refused to violate their trusts to part with their denominational schools to the local authority to be turned into Cowper-Temple schools. He could not withdraw his Amendment.

THE UNDER-SECRETARY OF STATE FOR FOREIGN AFFAIRS (Lord FITZMAURICE) said that in the case of many of these schools public equities had grown up on account of the enormous sums of money which in former years had been voted to them out of the rates and taxes, and therefore it was thought advisable to put in special words directing the attention of the Commission to these equities, so that the interests of the public might be adequately protected.

THE EARL OF CAMPERDOWN held that sub-section (*b*) had a much wider and was likely to have a much larger operation than he thought the Committee were aware. Lord Stanley of Alderley had said that the clause simply provided a procedure which was to come into force in the event of an arrangement not being arrived at between the local education authority and the owners. He ventured to think that was a mistake, for if they looked at the opening of the clause they would see that the local education authority might, at any time after 1st January, 1907, apply to the Commission. Here they were in November, and on the first of next January the local education authority would be able to go to the Commission and request them to make a scheme and under sub-section (*b*) the Commission could virtually transfer nearly every denominational school to the local authority.

THE LORD BISHOP OF OXFORD said that, as the clause was amended last week, sub-section (*b*) had become sub-section (*a*). The section therefore would now run—

> "(2) In making any such scheme, the Commission shall act in accordance with the principles followed by the High Court in exercising as the successors of the Court of Chancery the ordinary jurisdiction as to charities inherent in that Court; but (*a*) if they are of opinion that the use of the schoolhouse for the purpose of a public elementary school by the local education authority in accordance with this Act is the best mode of giving effect to the trusts, they may by the scheme make provision for the purpose, subject to such conditions (if any) as to payment or other matters as the Commission think just."

He desired an explanation of the word "but" which immediately preceded the sub-section. The word must point to a contrast between Section 2 and what followed, and he was anxious to know what it was in the sub-section which was so placed in contrast with the principles followed by the Court of Chancery. Was it the opinion which the Commission might form, or the scheme they might make, or the payment they might offer? He would be glad if some light could be thrown on this point.

THE EARL OF CREWE: In reply to the right rev. Prelate, I have no doubt that the general principles on which the schemes are to be framed have to follow the practice of the High Court of Chancery;

but, as I have already said, there is some doubt as to whether, under the practice of the Court of Chancery, it could be arranged that rent should be paid in the frequent circumstances contemplated. That alone, I think, makes the word "but" suitable.

THE EARL OF CAMPERDOWN said that the remarks of the noble Earl had no reference to the operative part of the sub-section, but merely to the payment of rent. The sub-section provided that if the Commissioners were of opinion that the best way of giving effect to the trust was to transfer the school to the local education authority they could do so. That was the operative part of the sub-section; the rent was a very small matter.

THE CHAIRMAN OF COMMITTEES: I think it will be more convenient if I put the Amendment down to the word "may." The Question, therefore, is, "That the words in line 10 to 'may' in line 13 stand part of the clause."

THE EARL OF HALSBURY said the Committee were in some difficulty in dealing with this matter. The noble and learned Viscount had not, he thought, sufficiently considered that if the words were left out there would be no power to arrange for the rent at all. Surely that was a very awkward situation in which to leave the Bill. The noble and learned Viscount was proposing to strike out words which *prima facie* were intended for the class of schools in which he was interested.

On Question, Amendment negatived.

LORD BARNARD moved as an Amendment that sub-section 2 (*b*) should be qualified by the insertion of the following words—

> "Without prejudice to the exercise by the trustees of any discretion vested in them as to the application of the schoolhouse to some other charitable purpose, make provision by the scheme for the use of the schoolhouse for the purpose of a public elementary school."

He referred to a Return which had been made to the House of Commons classifying trust schools, yet pointing out that in the bulk of the cases it was absolutely impossible to lay down hard and fast rules which should apply to any one class of schools. He considered that some such safeguard as he proposed was necessary.

Amendment moved:—

> "In page 8, line 13, to leave out from 'may' to 'subject' in line 14 and to insert 'without prejudice to the exercise by the trustees of any discretion vested in them as to the application of the schoolhouse to some other charitable purpose, make provision by the scheme for the use of the schoolhouse for the purpose of a public elementary school.'"—(*Lord Barnard.*)

THE EARL OF CREWE: I am not disposed at once to accept the Amendment, because I do not see that it effects anything which is not already provided for in the Bill. The Commissioners are to act in accordance with the principles followed by the High Court in exercising as the successors of the Court of Chancery the ordinary jurisdiction as to charities inherent in that Court. It is obvious that a really alternative trust could not forcibly be handed over by the Commission if they followed that rule.

LORD ASHBOURNE asked that the Return which had been made to the House of Commons and had been referred to by Lord Barnard should be communicated to their Lordships' House.

THE EARL OF CREWE: I will see that noble Lords who desire the Return shall have copies, but I think it is too bulky to be generally distributed.

THE LORD BISHOP OF ST. DAVID'S said that in the Return in question there was a class of endowment which referred to what he might call mixed trusts as distinguished from alternative trusts; and he thought it was very possible that, unless some Amendment of the kind moved by Lord Barnard were inserted, these schools would be handed over to the local education authority without such restrictions as to user as would be necessary to enable the trustees to use the buildings for the purposes of the charity other than educational. If, for instance, the local education authority were to be allowed to put up fixed instead of movable partitions it might altogether hinder the use of the school for other purposes. He hoped the noble Earl in charge of the Bill would further consider this point.

LORD HENEAGE said the Bill could not come into force until January next, whatever dispatch was used. The effect of the clause would therefore be that all trust schools would be altogether taken out of the purview of Clause 2, and would not obtain facilities under Clauses 3 and 4.

EARL CAWDOR asked what was the meaning of the word "but." He understood that the Commission were to act in accordance with the principles followed by the High Court. The subsection then ran—

"But if they are of opinion,"

and so on. Did not that seem to show that there were to be some means by which the Commission could go away from the principles followed by the High Court and deal with these matters in a different manner ?

THE EARL OF CREWE: I thought I had explained that in reply to the right rev. Prelate the Bishop of Oxford. The word "but" was put in to enable payment to be made which very likely might not be paid if the principles of the Court of Chancery were invariably followed. It is quite possible that a scheme providing for the payment of rent might be made entirely carrying out the principles of the Court of Chancery; whereas the Commissioners, if they followed strictly the principles on which the Court of Chancery acted, might not feel justified in making such a provision. As to the point raised by Lord Heneage, I think it is quite obvious that the question of the date will need reconsideration. I hope at the proper time to make a statement about the changes of date which are necessitated by the change of the date on which the Act is to come into operation.

LORD STANLEY OF ALDERLEY said they must make a marked distinction between alternative and mixed trusts. In the case of alternative trusts, the existing owners of the school had, he thought, a very clear right to demand that they should be allowed, if they abandoned the whole of the educational trust, to fall back on the alternative trust. He did not think this form of trust was at all common in Church of England schools, but it was, he thought, the dominant trust in Roman Catholic schools.

LORD BARNARD said he was, of course, in the hands of the Committee. But as His Majesty's Government had seen fit after the word "but" to put in so many statements of the kind referred to, he thought a statement making it quite clear to the Commission what their duty was to the other party should be inserted.

THE EARL OF CREWE: I shall not raise any objection to the words, but I maintain my opinion that they are not necessary.

On Question, Amendment agreed to.

VISCOUNT RIDLEY had Amendments on the Paper—

"In page 8, line 15, to leave out the words 'if any,' and in line 16, to leave out from 'just' to the end of sub-section (2), and to insert, 'provided that where the schoolhouse is subject to any charitable trusts which, either by means of special provisions with respect to any particular religious worship or observance, or instruction in religious subjects, or with respect to the control or management of the trust property, are intended to promote the interests of any particular church or denomination, the Commission in fixing the terms of payment shall have regard to the change effected in the nature and object of the school by reason of its conduct by the local education authority as a school provided by them.'"

The noble Viscount said his object had been to insert definite words that when a school was taken over for public purposes, regard should be had, in fixing the rent, to the loss in the character of the school; but Lord Barnard's Amendment met his object, and he therefore did not propose to move the Amendment standing in his name.

LORD BARNARD then moved to insert after the words, "subject to such conditions (if any) as to payment or other matters," the words contained in his Amendment. He said that under ordinary circumstances it would be quite unnecessary to put in these words. But the Committee would remember that words to this effect were inserted in Clause 2, and he thought it was only right that a similar indication as to the line of their duty should be furnished to the Commissioners in this case.

Amendment moved—

"In page 8, line 15, after the word 'matters' to insert 'including the preservation, as far as the altered circumstances will allow, of such trusts and the protection of the endowment subject thereto.'"—(*Lord Barnard*).

THE EARL OF CREWE: I should like to put it to the noble Lord whether he might not in some cases defeat his object by inserting these words. The words—

"As far as the altered circumstances will allow, of such trusts,"

might include cases where a considerable part of the trust is of a secular character, and that part is to be carried out in future entirely by the local education authority. Might this not rather be an inducement to the Commission to devote some of the endowment to the carrying out of these secular purposes rather than to those of a religious character, in which, I take it, the noble Lord is most interested? By Section 13 of the Act of 1902 some very strange things were done in the case of these small endowments. They were handed over to the relief of the rates, not of the parish to which they belonged, but of the parishes from which it was thought children would come to the school. So far I am in agreement with the noble Lord's desire to protect endowments, but I think his Amendment would in some cases possibly have a hampering effect.

Amendment, by leave, withdrawn.

THE EARL OF CAMPERDOWN moved to leave out the direction to the Commissioners contained in paragraphs (i.) to (iv.). The sub-section, he said, directed the Commission in certain minute details which seemed to him to be perfectly within the power of the Commission to consider for themselves. What were those details? The first was—

The grants or assistance, if any, received from public funds towards the building, enlargement, or improvement, or fitting up of the schoolhouse.

He thought the last of those building grants was in the years 1880 and 1881. They were given to the owners of the schools on certain conditions which had been fulfilled, and now twenty-five or twenty-six years afterwards Parliament proposed virtually to direct the Commission, in fixing the amount of the rent to be paid in future to the trustees, to deduct these building grants. He submitted that that was a very mean sort of proposal. The second detail was—

The limited nature of the user thereof by the local education authority.

The local education authority would have the chief user and the trustees only a certain limited user. The third detail was—

The facilities given therein for special religious instruction and the performance of the original trusts.

Therefore a deduction was to be made owing to the fact that religious instruction might be given hereafter in the school. He wondered whether that ought to be reckoned in pounds, shillings or pence; he would say the latter. And then came the fourth detail—

The cost of maintenance and repair.

Nothing, it would be observed, was said in favour of the trustees in the four conditions which the Commissioners were directed to have regard to, and if their Lordships decided to retain these words in the Bill he should certainly move a fifth condition which would form at least one item in favour of the owners. The noble Earl had assured them that the Bill was not actuated by any dislike of the Church of England or denominational schools. If that were so, then these words, at any rate, seemed to imply distrust of the Commissioners to which the Government were giving such ample powers.

Amendment moved:—

"In page 8, line 16, to leave out from the word 'just' to the end of sub-section (2). (*The Earl of Camperdown.*)

THE EARL OF CREWE: My Lords, it is, of course, clear that these four paragraphs would represent one of the main pillars or buttresses of the Bill. They are more in the nature, no doubt, of a sort of annex,. I think the noble Earl is not quite fair in hinting that it was with any desire to press hardly on denominational schools that these words were inserted. The words must be read in connection with those preceding—

> "Subject to such conditions (if any) as to payment or other matters as the Commission think just."

"Think just" is a very vague term, and it is not the kind of line on which the Court of Chancery would act in preparing a scheme. The Court of Chancery would not consider all the circumstances of the case and fix a fair rent. All that they would do would be to see that the trust was carried out in the best way, and consequently these further powers must be read in connection with the word "just," extending to antecedent circumstances which must be borne in mind by the Commission in fixing the method of payment. As the procedure is a novel one we think that the words have a value as giving guidance to the Commissioners.

THE MARQUESS OF LONDONDERRY asked whether the Commissioners themselves had been consulted on this question.

THE EARL OF CREWE: No.

THE MARQUESS OF LONDONDERRY could not admit that the provisions were fair to both parties. He agreed with Lord Camperdown that they implied distrust of the Commissioners, and he thought that further reasons for their insertion ought to be given.

THE LORD ARCHBISHOP OF CANTERBURY said that he was glad the question had been raised, but he hoped the Amendment would not be pressed. He was most anxious that throughout these discussions those who in a peculiar sense spoke on behalf of the Church should not seem in any kind of way to be specially pleading for indulgent treatment in regard to rent. The question of rent was not immaterial, but it was as nothing compared with the principles for which the spokesmen of the Church really cared. This one-sided direction to the Commissioners as to the things they were to be sure not to forget occupied a strange place in such a Bill as this. The Church would have to put up with a great deal that seemed strange in its one-sidedness. But he did not wish to vote against the words, lest it should be alleged that the objections of the Church to the Bill were based mainly on such considerations.

LORD BELPER said that to direct the attention of the Commissioners to particular circumstances might be construed as an intention to exclude from consideration circumstances not specifically mentioned. Would it not be fairer to say that the Commissioners should have regard to all the circumstances of the case?

LORD BARNARD said he held exactly the same opinion as the most rev. Primate and for the same reason. He hoped, therefore, that his noble friend Lord Camperdown would not press the Amendment to a division. He considered that the words were absolutely unnecessary, but if the advisers of His Majesty's Government thought that the attention of the Commission ought to be specially directed to these points, by all means let it be done. He wished to associate himself entirely wth the most rev. Primate in deprecating any idea that those who were supporting the interests of the Church of England and other denominational schools desired to get any advantage out of the grants which had been received from public funds. Reference had been made to the sums of public money devoted to the building of voluntary schools, but no such grant had been made for nearly forty years; and the consequence was that if any sums of public money had in former days been expended on school buildings there had been forty years user of the schools.

LORD FITZMAURICE: I think grants continued to be paid down to 1880 or 1881.

LORD BARNARD said that was twenty-six years ago, and was quite sufficient for his purpose. The noble Lord had not told the Committee what proportion this grant bore to the total amount spent on voluntary schools, which he thought ought to be taken into account.

THE EARL OF CAMPERDOWN said the appeal that had been made to him not to press his Amendment to a division had been based on the ground that the representatives of the Church of England did not wish it to be supposed that their objections were mainly applicable to the question of rent. That was not at all his reason for moving his Amendment. He was no very great supporter of denominational schools, and such denominational schools as he had he had handed over to the county. His reasons for moving the Amendment was to secure what he regarded as fairness and justice. Though the noble Earl had denied that this proposal was made in order to whittle down the sum payable to denominational schools, it seemed to him that, whatever the intention might be, that would be the effect. And, moreover, while they took away all they could from the owners of the schools they did not, on the other hand, give them credit for any of the sums they had expended. The proposal seemed to him to be entirely one-sided, and it was for that reason that he moved the Amendment. It might be, however, more expedient not to divide the Committee on his Amendment, but he would certainly move the insertion of a sub-section later on in favour of the owners.

THE LORD BISHOP OF ST. DAVID'S said that though the intention of His Majesty's Government, as they had been given to understand, was to do justice, they had been singularly unfortunate in incorporating their good intentions in the Bill. Members of His Majesty's Government had gone about the country stating how generous they had been in the Bill to the Church, and that they were paying them rent and keeping their school buildings in repair. This was an instance of the kind of misrepresentation that had been indulged in in regard to this Bill. No mention was made in those speeches of the fact that by paragraph (iv) of this sub-section care was taken to stipulate that in fixing the rent the cost of maintenance and repairs should be taken into consideration. The denominations would have to pay for the teaching of religious instruction, and would have to pay further by receiving less rent.

Amendment, by leave withdrawn.

LORD BARNARD moved the insertion of a new sub-section, to provide that before such a scheme was finally established the Commission should give due notice thereof to the owners, and should also hear them if they desired to be heard. He explained that this Amendment was of the nature of those already discussed, and was an indication to the Commissioners as to their line of action.

Amendment moved—

"In page 8, line 27, after the word 'considered' to insert the following new sub-section: (3) Before such a scheme is finally established the Commission shall give due notice thereof to the owners, and shall also hear them if they desire to be heard."—(*Lord Barnard.*)

THE EARL OF CREWE: This Amendment is, as the noble Lord says, of the same character as those which he has moved before; but it appears to me, if I may say so, to be even less necessary than the last one he moved. I should conceive it to be impossible for the Commission to make a scheme without giving due notice to the owners. It seems to me to be almost a reflection on the Commissioners to suggest that they would do otherwise; but that is, perhaps, more a matter for the noble Lord to consider than for us. I would, however, on that ground appeal to him not to press the Amendment.

Amendment, by leave, withdrawn.

THE EARL OF CAMPERDOWN moved to leave out sub-section (3). He explained that he did so in order to obtain some explanation as to what it meant. The sub-section was inserted in the other House on Report and under the Closure, and therefore nothing was said with regard to it. The words were—

(3) "A provision made by the Commission with respect to the use of a schoolhouse by a local education authority shall not have effect for more than five years unless the local education authority and the owners of the schoolhouse agree that the provison shall have effect for a longer time."

He would have thought that when the Commission made a scheme it would be a good thing that it should be a lasting one, but that, of course, was a matter of opinion. The scheme was not to last for more than five years unless the local education authority and the owners of the schoolhouse agreed. In a case in which they had not agreed that it should continue, the Commission would have ceased to exist long before the expiration of the five years. What would happen then to the scheme and to the schoolhouse?

Amendment moved—

"In page 8, lines 28 to 32, to leave out sub-section (3)."—(*The Earl of Camperdown.*)

THE EARL OF CREWE: The noble Earl says he does not entirely follow the object or meaning of this sub-section. What would happen is this. It is quite possible, of course, that the local authority and the owners of the school might come to an agreement outside for the leasing or the hiring of the school for a greater number of years, or they might come before the Commission, and, having fought the matter out there, further agree that the lease should last for a longer time. But if they remained unagreed, and if the local authority were still hostile to the scheme, we do not think it right or wise to force upon a reluctant authority a scheme for more than five years. If the noble Earl will look at the next subsection he will see that at the end of the five years the scheme may proceed, but the powers of the Commission are transferred to the Board of Education for that purpose.

THE EARL OF HALSBURY said the noble Earl's statement raised an important consideration. Was it intended that the Board of Education should have all the powers which had been confided to the Commisson. It was a serious matter if that was so, because they would not only have the powers of the Court of Chancery but additional powers as well. The Board might even make a new scheme. The giving of this power to the Board of Education for all time was a totally different thing from giving it to a Commission which was named and appointed for a specified period.

THE EARL OF CREWE: It is provided in the Bill that the powers of the Commission shall be in force until 31st December, 1908, but His Majesty may by Order in Council continue their powers for such further period as His Majesty thinks fit; that is to say, if their original work is not done. But it is assumed that their work will all be completed and that the Commission will disappear before five years.

THE EARL OF HALSBURY: That I quite understand.

THE EARL OF CREWE: Then what would happen is this, that these schemes, being educational charity schemes, would come before the Board of Education in their capacity as Charity Commissioners.

THE EARL OF HALSBURY said he could not understand that. After the Commission had expired the Board of Education were to be invested, not with the powers of Charity Commissioners but with the powers of this Commission, which were very different and subject to very different restrictions. Their Lordships had not understood until now that there was to be a continuance of these powers in the Board of Education indefinitely and relieved from the restrictions which at present applied to the Charity Commissioners.

THE LORD BISHOP OF ST. DAVID'S asked the Lord President to explain what security there was that the ordinary facilities would be permanent in their character and last beyond five years. It had been said repeatedly by the President of the Board of Education that the ordinary facilities were to be compulsory if asked for. That was not very clear in the Bill, and it was still less clear that they were to be permanent beyond the five years.

*THE MARQUESS OF LANSDOWNE: I hope the noble Earl will be able to give us some explanation on the point raised by my noble and learned friend beside me. It may be a new point to him and one of some difficulty, but we would like to know that the argument of my noble and learned friend will be taken into consideration.

THE EARL OF CREWE: I am not quite certain what the powers are to be exercised by the Commission to the continuance of which by the Board of Education my noble and learned friend takes exception. If he will tell me I may perhaps be able to give him an answer.

THE EARL OF HALSBURY said that for the future the Board of Education were to have power to make schemes and every scheme made by the Board was to be treated as if it had been made by the Commission under this Bill. That was one of the powers to which he took exception.

THE EARL OF CREWE: But the Board of Education has power to make schemes now.

THE EARL OF CAMPERDOWN said that an important point to bear in mind in this connection was that by section 3 of Clause 9 no Court would have power to review or interfere in any way with the schemes, decisions, or other proceedings of the Board of Education if they were given the full powers of the Commission under this Bill.

Amendment, by leave, withdrawn.

THE LORD BISHOP OF WAKEFIELD moved an Amendment to the effect that the provision made by the Commission in respect of the use of the schoolhouse by the local authority—

> "Shall, if required by the owners, contain a condition, requiring the local education authority to afford facilities in accordance with this Act for religious instruction of some special character not permitted under Section 14 of the Elementary Education Act, 1870."

He said his Amendment was by way of a direction to the Commission in order to secure what they had been told over and over again it was the intention of His Majesty's Government, that they should secure—namely, the ordinary facilities under Clause 3. There were thousands of schools in respect of which transfer to the local authority would be compulsory, and if a local authority declined to give any facilities whatever it would be entirely in the discretion of the Commission, on being appealed to, not what facilities should be given, but whether any facilities should be given at all. Although any doubts they might have entertained on this matter had been largely removed since they had seen the names of the three gentlemen who were to constitute the Commission, he hoped the reasonableness of his Amendment would be recognised by the noble Earl in charge of the Bill and that it would be accepted.

Amendment moved—

> "In page 8, line 32, after the word 'time' to insert the words 'and if required by the owners shall contain a condition requiring the local education authority to afford facilities in accordance with this Act for religious instruction of some special character not permitted under Section 14 of the Elementary Education Act, 1870.'"—(*The Lord Bishop of Wakefield.*)

THE EARL OF CREWE: It certainly is the intention of His Majesty's Government that where people have a right to ask for facilities they should get them. That is made clear by our words in Clause 3—

> "If the affording of facilities under this section for the giving of religious instruction of some special character not permitted under Section 14 of the Elemenary Education Act, 1870, has been made a condition."

Privately-owned schools will not come before the Commission at all, and therefore the question with regard to them does not arise.

LORD BARNARD: Under the Amendment moved by Viscount St. Aldwyn to Clause 2 I think they will.

THE EARL OF CREWE: They may. I must say I have not followed the Amendment closely enough to dispute the accuracy of the noble Lord's statement. But there is, of course, a certain class of schools whose trusts do not, as a matter of fact, authorise them to ask for these facilities from the Commission. It is possible even that to grant these facilities for a certain class of schools, owing to the nature of their trusts—trusts, for instance, which do not say that the children are to be brought up in the principles of the Church of England—would be an actual departure from the practice of the Court of Chancery. On those grounds we are not able to accept the right rev. Prelate's Amendment to place this particular compulsion upon the Commissioners.

THE LORD BISHOP OF WAKEFIELD hoped that some undertaking would be given that the gap to which he had called attention would be stopped up by His Majesty's Government. As the clause stood at present, there was clearly a possibility that in some cases facilities might be lost altogether.

THE EARL OF CREWE: I will consider the matter, but I cannot make any promise.

THE LORD ARCHBISHOP OF CANTERBURY asked whether the noble Earl meant that there were certain schools, in which special denominational teaching was now given, which would be transferred under this Act but in which the owners or representatives would have no power to claim facilities, and, if they did claim them, would have no right necessarily to receive them.

THE EARL OF CREWE: I believe there are a certain number of such schools.

THE LORD ARCHBISHOP OF CANTERBURY: Of what kind?

THE EARL OF CREWE: There are a certain number of what are called parochial schools.

THE LORD BISHOP OF WAKEFIELD said that in a very large number of instances, perhaps in an overwhelming number, denominational instruction had been given in these parochial schools for a great many years. Were they to understand that that custom was to be put an end to simply because there were no express terms in the trust deed with regard to such religious instruction?

[No Answer was returned].

Amendment, by leave, withdrawn.

EARL CAWDOR said the noble Earl (Lord Crewe) did not seem to appreciate the gravity of what might happen under this clause. At the termination of the scheme in five years the Board of Education would have the power to carry on the scheme. Why were such enormous powers to be given to the Board of Education? They had better leave the law as it stood. He moved to amend sub-section (4) of the clause by leaving out the words—

> "And on the expiration of any such provision the Board of Education shall have the same powers for renewing the provision, or making a fresh provision for the like purpose, as the Commission have with respect to the provision originally made, and for the purposes of this Act any provision renewed or made by the Board of Education shall be treated as a provision made by a scheme of the Commission under this section."

The section would then read—

> "A scheme made by the Commission shall have effect as if enacted by this Act, but a provision made by the Commission with respect to the use of a schoolhouse by the local education authority may be altered by the Board of Education with the consent of the owners of the schoolhouse and the local education authority."

That would leave the law at the termination of the five years exactly as it was, and would avoid what they regarded as so objectionable—namely, the transferring of the enormous powers of the Commission under this Bill to the Board of Education.

Amendment moved—

> "In page 8, line 38, to leave out all words after "authority."—(*Earl Cawdor.*)

THE EARL OF CREWE: The noble Earl, as I understand, objects to what he calls the enormous powers of the Commission being transferred to the Board of Education, but I am almost tempted to ask if he knows what the present powers of the Board of Education are under such circumstances as these. What this clause says is that a provision may be altered or renewed by the Board of Education or a fresh provision made for a like purpose. The noble Earl, I suppose, has no objection to a provision's being altered by agreement and I imagine he would have no objection to its being renewed, but what he objects to is the power to make a fresh provision for a like purpose. What is it that the noble Earl is afraid of? What are the powers to the transference of which to the Board of Education he objects? The Board of Education now, acting as Charity Commissioners, have the powers of Charity Commissioners to make schemes in the event of a trust failing, as these trusts are going to fail by our Bill, through an Act of Parliament, and I confess I do not understand what are the additional powers of great magnitude of which the noble Earl is afraid.

*THE MARQUESS OF LANSDOWNE: I still think there is something in the argument of my noble friend behind me. What I understand to be the case is that on the expiration of one of these provisions for the use of a schoolhouse the Board of Education are given the same powers with regard to the question of renewal as the Commission are given with respect to the provision originally made—that is, they can issue a scheme which becomes virtually an Act of Parliament. In an earlier part of the section it is clearly stated that when one of these schemes has to be altered the consent of the owners is invoked. But as I understand the wording of the clause, after the five years have passed the Board of Education, assuming the powers of the Commission, can deal with the question of renewal without any consultation whatever with the owners. That does seem to me to be conferring on them powers of a very excessive character.

EARL CAWDOR asked if, under the existing law the Board of Education had sufficient powers as Charity Commissioners to deal with these schemes when they came to an end in five years time, why Parliament should give further powers? If the powers of the Commission were transferred to the Board of Education the schemes made by the Board would not be subject to Parliament, whereas all schemes under the Charity Commission had to be laid before and obtain the sanction of Parliament. He much preferred that the law should remain as it stood, and that these wider powers should not be handed over to the Board of Education.

THE EARL OF CREWE: On the other hand, the noble Earl is prepared to leave it to the goodwill and pleasure of the owners of the schoolhouse whether the Commissioners' scheme, however much the circumstances may change, should last for ever.

EARL CAWDOR: No, the Board of Education and the owners must concur.

THE EARL OF CREWE: If the owners do not concur nothing can be done.

EARL CAWDOR: Unless the owners and the Board of Education concur in the continuance of the scheme the scheme comes to an end in five years.

THE EARL OF CREWE: If that is so, the whole of the rather tedious and elaborate procedure of making a fresh scheme by the Board of Education has to be gone through, and I cannot think that it would be for the benefit of these voluntary schools if in five years time fresh inquiries and procedure had to be gone through by the Board of Education before the scheme could be renewed. I should have thought that the owners and managers would have greatly preferred the more simple procedure which we desire.

*THE MARQUESS OF LANSDOWNE: I hope we may appeal to the noble Earl to consider what has been said, and to make sure there is no blot in the clause such as has been suggested.

Amendment, by leave, withdrawn.

VISCOUNT LLANDAFF moved to amend sub-section (5) by providing that a scheme made under the clause might be set aside or varied by the Court of Chancery on a petition presented for that purpose. He thought nobody could doubt that the work of the Commission would be very difficult and arduous. The Commissioners would have to consider very complicated trusts, and they would have a vast number of extremely intricate questions to decide. It seemed to him, therefore, only reasonable to suppose that they might sometimes give a wrong decision. Why was there to be no appeal from their decision if it was an erroneous one? He would be told that the Commissioners were very eminent men. He admitted that they were, but they were not more eminent than His Majesty's Judges and the Court of Chancery whose powers the Commission would exercise, and whose judgments were subject to appeal. He could understand that it might be said that to allow an appeal was to encourage excessive litigation, but he thought that the fact that an appeal did involve delay and expense was sufficient to prevent appeals being unnecessarily made. They would only be made in exceptional cases.

Amendment moved—

"In page 9, line 5, at the beginning of subsection (5) to insert the words 'A scheme made under this section may be set aside or varied by the Chancery Division of the High Court of Justice on a petition presented for that purpose but save as aforesaid.'"—(*Viscount Llandaff.*)

THE EARL OF CREWE: I hope the Committee will not agree to this Amendment. The object, of course, in making this Commission such a strong body as it is was to enable it to take the place of the Court of Chancery in these matters. I do not know whether the noble Lord contemplates an appeal to a single Judge, or to a Divisional Court, but if to a single Judge, I doubt whether it would carry so much weight as the decision of the three Commissioners; and if there had been any question of leaving this matter of appeal open, we should have attempted to send the question straight to the Court, rather than interpose the Commission at all. We should run a considerable risk of a very serious waste of time. Of course it is very important indeed that the decisions should be legal and just, and I think the composition of the Commission ensures that. It is also important that they should be as speedy as possible, and I cannot help thinking that the objection which the noble and learned Viscount anticipated—namely, that litigation in some cases might cause serious delay is a very formidable objection. I hope, therefore, the Committee will not support the noble Viscount's Amendment.

THE LORD BISHOP OF WAKEFIELD pointed out that the revision of schemes at the end of five years would come before the Board of Education. There was a great distinction between powers given to a special Commission, and similar powers given to a Government Department. It was possible for the Board to be subjected in certain circumstances to a considerable amount of political pressure; and he asked the President of the Council to consider whether it would not be right to give some sort of appeal from the Board, at least to the extent of laying the renewed schemes before Parliament for approval.

THE MARQUESS OF SALISBURY said he had no distrust of the Board of Education. He was sure that no President of the Board would abandon his judicial function under political pressure. At the same time, the Board was not so strong judicially as the proposed Commission; and therefore, there was point in the suggestion of the right rev. Prelate, that some sort of review of its decision should be provided.

THE EARL OF CREWE: I thank the noble Marquess for the good character he has given us when we act as Charity Commissioners. When the Board of Education acts in its judicial capacity it entirely forgets matters of a more polemical kind. I will consider the point, but the noble Marquess must remember that when these things come before the Board of Education they will have had the advantage of watching the proceedings of the Commission during the whole time it will have been sitting, and I hope that in the vast majority of cases they will have very little to do but to carry on the scheme on practically the lines of the Commission.

LORD ASHBOURNE hoped the noble Earl would look more closely into this matter before Report. The Commission was, undoubtedly, a very high body, but it would not be quite the same thing when their jurisdiction devolved upon the Board of Education. He thought it was well worth considering before the next stage of the Bill whether it would not be wiser to say that schemes relating to charitable endowments should be laid before Parliament by the Board of Education. This, of course, would enable them to be reviewed in either House.

THE EARL OF CREWE: I can promise the noble and learned Lord that the matter will be considered.

Amendment, by leave, withdrawn.

VISCOUNT LLANDAFF then moved to omit the concluding words of subsection (5), which empowered the Commission to decide whether a schoolhouse was held under charitable trusts or not. This was, he said, the foundation of the jurisdiction of the Commission. The Commission had jurisdiction only over schoolhouses held under charitable trusts. It was, he thought, unprecedented that an inferior Court should be allowed to decide finally and without appeal whether it had jurisdiction or not. In moving this Amendment, however, he was not reflecting in any way on the capacity of the Commission. The Supreme Court had at all times asserted its right by prohibition if an inferior Court exceeded its jurisdiction.

Amendment moved—

"In page 9, line 7, to leave out from the first 'Commission' to the end of the sub-section."—(*Viscount Llandaff.*)

The Earl of CREWE: There is no doubt that this is a somewhat novel proposition, but when the noble Viscount speaks of an inferior Court I would remind him that this is not an inferior Court, because there is explicitly to be no appeal from it. Therefore when he speaks of it as an inferior Court the noble Viscount only means that it ought to be an inferior Court, and that there ought to be an appeal from it. There is no doubt that in deciding whether a schoolhouse is held under charitable trusts or not very different questions of title and such like may arise, and if the noble Viscount will be content that the Commissioners shall have power to give leave to appeal where they think it necessary we shall be prepared to agree to a proviso of that kind.

Lord BARNARD hoped the noble and learned Viscount would adhere to his Amendment. When the powers of the Charity Commission over educational endowments were transferred to the Board of Education the question whether or not an endowment was or was not subject to charitable trusts was specially reserved to the Charity Commission.

The Earl of CREWE: That is quite right.

Lord BARNARD thought that the power to decide whether a schoolhouse was held under charitable trusts or not would be better left to an independent body with expert evidence at their command. As the noble and learned Earl the late Lord Chancellor had pointed out, under the clause as it stood all the powers of the Commission would be transferred to the Board of Education, and they would be thereby undoing another Act which provided that the Charity Commission and not the Board of Education should determine whether or not a trust was a charitable trust.

The Earl of CREWE: I hope the Committee will see that this is not a very reasonable Amendment. The noble Lord who spoke last objects to this particular power or privilege being removed from the Charity Commission, but one of the excellent reasons for appointing our Commission of three was that whereas a purely educational trust would have had to be decided by the Board of Education as Charity Commissioners, other points would have had to be decided by the Charity Commissioners themselves. That was one reason why we thought it better to appoint a Commission of three. All these questions will have been settled long before the Board of Education takes over any of the powers of the Commission. I renew my offer to the noble Viscount. I shall be prepared to agree to a proviso, to be moved later, that the Commission shall have power to give leave of appeal in cases where they think it necessary.

The LORD BISHOP of WAKEFIELD was proceeding to ask a question with regard to the powers of the Council for Wales, when—

The Earl of CREWE said: I cannot answer any question relating to the Council for Wales until we reach that clause.

Lord HENEAGE thought the compromise offered by the noble Earl was perfectly fair and would work well. He hoped the noble Viscount would accept it, and not press his Amendment to a division.

Viscount LLANDAFF said he would take what he could get. He accepted the noble Earl's promise to introduce the proviso in question at a later stage.

Amendment, by leave, withdrawn.

Moved, "That Clause 9, as amended, stand part of the Bill."—(*The Earl of Crewe.*)

THE MARQUESS OF LONDONDERRY asked permission to revert, before the clause was passed, to the Amendment moved by the Bishop of Wakefield providing that, if required by the owners, the provision made by the Commission should contain a condition requiring the local education authority to afford facilities for religious instruction of some special character not permitted under Section 14 of the Elementary Education Act, 1870. He understood the noble Earl the Lord President to declare, in speaking on the Amendment, that there were some schools which ought not to have these facilities. He asked the noble Earl how he could reconcile that statement with the declaration of the President of the Board of Education in explaining Clause 3 in the House of Commons, that facilities would be given in all schools when demanded and where required.

THE EARL OF CREWE: I did not say that these schools would not get facilities. What I said was that they would not be entitled to ask for them under the doctrine of the practice of the Court of Chancery, owing to the terms of their trusts.

THE LORD ARCHBISHOP OF CANTERBURY: You mean that they could be asked for and could be granted? The point is a little obscure.

THE EARL OF CREWE: I should not like to commit myself on that point at the moment.

THE LORD ARCHBISHOP OF CANTERBURY hoped the Committee would have a clear statement on the point. He had not yet had time to refer to *Hansard*, but he thought the noble Earl would find that this very Amendment, when moved in the House of Commons almost in the same words, was declared to be unnecessary because this had been already done.

THE EARL OF CREWE: I think that is practically the case, but I should not like to state it as an invariable proposition.

On Question, Clause 9, as amended, agreed to.

Clause 10:—

LORD STANMORE did not think their Lordships were likely to object to this clause, which provided for the appointment of the Commissioners, and still less to the gentlemen who were to be appointed. But he hoped that, in passing the clause, they would take to heart the fact, which he believed to have been very imperfectly appreciated in the House, and he was sure not at all appreciated in the country, that these eminent men were to be appointed, not to prepare permanent and lasting schemes such as those of the Charity Commission, but simply to effect temporary arrangements having force for five years and no longer.

LORD ASHBOURNE said the Commissioners could not be expected to do all the work themselves, and they ought to have power to appoint surveyors, inspectors, and so forth. The Government could not have thought out the detail of this scheme.

THE EARL OF CREWE: The noble and learned Lord is right in believing that the Government have not thought out the complete details. Of course a great deal will depend on the progress that is made with the arrangements that the Commissioners will have before them. The Government are fully alive to the importance of speed and efficiency in this matter, and I can promise that any assistance the Commissioners require in the way of staff to enable them to carry out their duties in the best way we shall cheerfully provide.

LORD BARNARD asked whether there was any particular reason for not having inserted a clause similar to that inserted in the case of the Endowed Schools Commission, empowering the Commissioners to appoint assistant Commissioners, a secretary, and such other officers as were necessary.

THE EARL OF CREWE: I cannot answer that question absolutely; but I imagine that it was due to the fact that they do not get to work at once when the Bill passes, and there is time enough to arrange these matters afterwards.

THE MARQUESS OF SALISBURY thought their Lordships should be very unwilling to entrust these powers to sub-Commissioners.

On Question, Clause 10 agreed to.

Clause 11:—

THE EARL OF CAMPERDOWN moved to amend sub-section 1, which ran—

> "Where the schoolhouse of an existing voluntary school is held under charitable trusts, the local education authority if they require the use of the schoolhouse for the purpose of avoiding for the time being any deficiency of public school accommodation in their area and have not obtained that use under this Act, shall be entitled to have, without payment, such use of the schoolhouse as is needed for the purpose of carrying on a public elementary school from the first day of January one thousand nine hundred and eight until the first day of January one thousand nine hundred and ten,"

by leaving out the words "without payment." He did not see any particular reason why the local education authority should not pay for the use of the schoolhouse during this period.

Amendment moved—

> "In page 9, line 37, to leave out the words 'without payment.'"—(*The Earl of Camperdown.*)

THE EARL OF CREWE: Clause 11 deals with the temporary use of schools before arrangements have been made or before the Commission may have heard the particular case. If the noble Earl looks at the clause he will see that the object is that, as far as possible, the school, though under the management of the local authority, should be carried on in practically the identical manner in which it is carried on at present. The teacher gives religious instruction and has to be appointed with reference to his willingness to give the instruction, and, in addition to that, the local authority undertakes the liability for repairs. Therefore it does seem reasonable that during that period no rent should be payable. What was agreed upon in the case of schools under Clause 4 ought *a fortiori* to be agreed to here.

Amendment, by leave, withdrawn.

VISCOUNT LLANDAFF moved to insert words providing that "such use shall be had in such manner and on such terms as to payment and otherwise as shall be agreed between the local education authority and the owners of the schoolhouse, or, in default of agreement, as shall be determined by the Board of Education." The position of the temporarily occupied schools was, he said, a very curious one, and he did not think His Majesty's Government had quite realised all the difficulties that would arise. The noble Earl in charge of the Bill let drop a phrase that the local education authority would manage the school, but he submitted that that was not so. He thought the schools would be without any managers at all. The temporarily occupied school was not a provided school, and consequently the local education authority would have no power under the law as it stood, or as it was proposed to be altered by this Bill, to appoint managers. The foundation managers who existed at the present time under the Act of 1902 would disappear, and it seemed to him that there would be no managers at all of these temporarily occupied schools unless an alteration was made in the Bill. The Bill provided that the religious instruction was to go on as before in the temporarily occupied schools, but it did not say by whom it was to be paid for. Under Clauses 3 and 4 it was expressly stated that the local education authorities were not to pay for the religious instruction. Under this clause, by which a denominational school might be occupied for two complete years, nothing was said as to who was to pay for the religious instruction. His noble friend Lord Camperdown had just withdrawn an Amendment which attempted to strike out the words "without payment," and for that action he could see no obvious reason. If the owners or managers of the school were to pay for the religious instruction, he would have thought it was only fair that they should receive a rent for the use that the local education authority would make of their school. He thought this would be a clause of very wide application, and it was extremely probable that the great mass of the voluntary schools would be occupied temporarily under it. They would have the advantage of getting the school without any payment at all in the way of rent, and the other payments they would have to make would be the same as under Clauses 3 and 4. The clause assumed that the local education authority would appoint the teachers.

THE EARL OF CREWE: Yes, that is so.

VISCOUNT LLANDAFF quoted the provision in the clause that if a vacancy arose in the office of teacher while the schoolhouse was used under this section the local education authority should, in choosing a teacher, appoint one who was willing to give the religious instruction required under the section. Under what authority, he asked, could the local education authority appoint a teacher for a school which was not a provided school and which was not transferred to them? The managers alone had the right by law to appoint the teachers, and the provision was deficient in that respect.

Amendment moved—

"In page 10, line 2, after the word 'ten' to insert the words 'and such use shall be had in such manner and on such terms as to payment and otherwise as shall be agreed between the local education authority and the owners of the schoolhouse, or in default of agreement as shall be determined by the Board of Education.'"—(*Viscount Llandaff.*)

THE CHAIRMAN OF COMMITTEES: I would point out that the Committee have agreed to the words "without payment." The Amendment of the noble and learned Viscount when it says "on such terms as to payment" is therefore inconsistent with the words "without payment" which are in the Bill.

THE EARL OF CREWE: I think the observation which has just been made by the noble Earl the Lord Chairman is conclusive. So far as the question of payment is concerned the Committee have decided that the words "without payment" are not to be struck out. Therefore it is not competent to insert this provision in the noble Viscount's Amendment.

LORD CLIFFORD OF CHUDLEIGH: There is still the question of the appointment of teachers.

THE EARL OF CREWE: Yes, but that, I think, is raised on a later Amendment by the Earl of Camperdown. As a matter of fact these schools will be managed by the local education authority because under the Act the same conditions and provisions are to apply to them as to the schools in respect of which arrangements are made for the use of the schoolhouse. They will actually be managed by the local authorities, and the teacher will be appointed by the local authorities, but the whole character of the teaching is allowed, during the period of suspense, to remain the same, owing to the fact that it is possible that the schools may not be taken over at all, and the owners may wish to continue them as private schools.

Amendment, by leave, withdrawn.

VISCOUNT LLANDAFF then formally moved to leave out the words—

"And if a vacancy arise in the office of teacher while the schoolhouse is used under this section, the local education authority shall, in choosing the teacher, appoint a teacher who is willing to give the religious instruction required under this section."

Amendment moved—

"In page 10, line 12, to leave out all the words after the word 'duties' to the end of the subsection."—(*Viscount Llandaff.*)

THE EARL OF CREWE: I do not see the noble Viscount's object in desiring to leave out these words. It seems to me that they are all in favour of those who wish to carry on the schools as before.

*THE MARQUESS OF LANSDOWNE: Surely this Amendment is consequential on the earlier one which the noble Viscount has already withdrawn. Therefore might I suggest that he should withdraw this Amendment and insist on the other one to insert "and competent"?

Amendment, by leave, withdrawn.

VISCOUNT LLANDAFF then moved the insertion, after the word "willing," of the words "and competent."

Amendment moved—

"In page 10, line 15, after the word 'willing' to insert the words 'and competent.'"—(*Viscount Llandaff.*)

THE EARL OF CREWE: It is obvious that we cannot accept this Amendment, because it opens up again the question of tests.

*LORD HARRIS foresaw considerable difficulties if these words were inserted. He did not know whether noble Lords appreciated what was going on in the country in consequence of the Act of 1902. The object of that Act was to introduce a system of co-ordination. The result of that had been that they were educating children at the pupil-teacher age and encouraging them to compete for exhibitions at schools of secondary education. From there they were encouraged to enter into competition for entrance to training colleges, and the consequence was that by degrees the schoolmasters of a county would have arrived at that stage of trained schoolmastership by competition, and at no stage that he knew of would the local authority have been justified in examining them as to their competency for religious teaching. There would have been established in the course of time a county service of teachers, and he would not be at all surprised if it became a graded service, for obviously the larger schools would carry a higher rate of pay, and it would not be always easy to take from one school simply at the request of a denomination a teacher at a higher salary, because that denomination wanted him, and send him to a school at a smaller rate of pay. He would have thought the denomination ought to be able to decide who among the staff of teachers was competent.

On Question, Amendment negatived.

THE EARL OF CAMPERDOWN moved an Amendment to provide that while a school was temporarily taken over under the clause, the local education authority should pay the teachers' salaries during the whole time the school was open, including the time set apart for religious instruction. He said that in the other House of Parliament, the same words were moved, but the President of the Board of Education then said that the Amendment was absolutely unnecessary as the salaries of the teachers would be paid by the local education authority as heretofore, and the Amendment was withdrawn on the assurance that the whole of the salary would be paid by the local authority. It had since transpired, under the West Riding judgment, that Mr. Birrell was wrong. They were now told that the salary was to be divided in future. As the noble Earl had stated that it was the intention of the Government that the schools temporarily taken over should be managed exactly in the same way as hitherto, it seemed to him that, so far from being unnecessary, the words in his Amendment were absolutely essential.

Amendment moved—

"In page 10, line 16, after the word 'section' to insert the words 'While the schoolhouse is so used, the local education authority shall pay the salaries of the teachers during the whole time the school is open, including the time set apart for religious instruction."—(*The Earl of Camperdown.*)

THE EARL OF CREWE: This is the first time that we have run against the West Riding judgment in our discussions. Since Mr. Birrell spoke on a similar Amendment, the position has changed owing to the reversal of the judgment of the High Court by the Court of Appeal. The Government are prepared to adhere to the principle that the salaries of the teachers shall or shall not be paid by the local authorities, according to the state of the law up to the time that this Bill comes into operation. If the judgment of the Court of Appeal is sustained, it would be unreasonable that these schools should have an advantage over others. If the judgment is reversed, it is reasonable that these schools should have the same advantages as others.

THE EARL OF CAMPERDOWN said that the noble Earl had used an argument which was the exact opposite to that which he used when he (Lord Camperdown) moved to omit the words "without payment." The noble Earl should remember that they were taking over schools which belonged to private owners, and that they were taking them over for their own purpose and only for a limited time. Nothing was to be paid for the use of the school, and therefore he could not see any justice in saying that the teachers who gave the religious instruction were not to be paid by the local education authority.

On Question, a division was challenged, when

THE EARL OF CAMPERDOWN said he would withdraw his Amendment on the understanding that the teachers were to be paid up to the date that the law was declared.

THE EARL OF CREWE: I am afraid it is not competent for me to discuss the terms of an Amendment at this stage. We can only discuss points of order.

On Question, Amendment negatived.

Clause 11 agreed to.

Clause 12:—

THE EARL OF CAMPERDOWN moved the insertion of a new sub-section to Clause 12, which, he reminded the Committee, was the clause under which it was provided that an existing voluntary school should not be closed at any time between the passing of this Act and the first day of January, 1908, except with the sanction of the Board of Education, and that if the managers of any such school in cases where no such sanction was given were unwilling or failed to carry on the school during that period, the local education authority might carry on the school as a school provided by them, until the first day of January, 1910. He thought that if the local authority were carrying on a school in this way they ought to carry it on on the same terms and in the same manner as had obtained hitherto. Therefore sub-section (2) of Clause 11 ought to apply to Clause 12.

Amendment moved—

"In page 10, line 33, after the word 'school' to insert the following new sub-section—(2) 'While a schoolhouse is used under the powers given by this section, the same conditions and provisions shall apply under this Act as when an arrangement is made for the use of a schoolhouse, except that the local education authority shall not make any alteration which is of a permanent character or will interfere with the use of the schoolhouse for any purpose for which it has been previously used, and shall permit the religious instruction given in the school to be of the same character as previously given, and shall also permit the teachers in the school to give that instruction as part of their duties, and, if a vacancy arise in the office of teacher while the schoolhouse is used under this section, the local education authority shall, in choosing the teacher, appoint a teacher who is willing to give the religious instruction required under this section.—(*The Earl of Camperdown.*)

THE EARL OF CREWE: The point raised on this clause is entirely different from the one raised on the previous clause. The last clause was to enable a friendly arrangement to be carried on in a way which would cause the least friction to the school. But this is rather a different matter. The Board of Education would always sanction the closing of a school where it was done in a reasonable manner, but this is to meet the case of a private owner who, simply in order to give annoyance, determines to dislocate the whole of the education in the district. Consequently the clause is made distinctly penal. If the owner can show sound reasons for wanting to devote his school to some other object, say a village club or a tennis court or anything he pleases, he can do so; but, in consideration of the fact that he has made himself responsible for the education of the children in the district, it is not too much to ask him to leave his school open until some other provision has been made. The clause would only affect owners who, from mulishness, endeavoured to prevent the working of this provision.

THE MARQUESS OF LONDONDERRY did not believe that any owner would be desirous of creating annoyance. The great object of these gentlemen had been to carry on the education in the district in a manner likely to be suitable to the parents. But, if a school was taken compulsorily from what the noble Earl had described as a mulish owner, what was the education to be given in that school in the future? That had not been explained. He had no doubt that the so-called mulish owner would not be mulish if he knew that the denominational education which he had fostered was to be continued; but if, on the other hand, he was told that the denominational education of which he approved was to be abolished and be replaced by Cowper-Temple teaching, it was quite possible that he would rather turn the school, which was his own private property, into a village club or use it for some other purpose. The noble Earl's proposal was to confiscate the school and not allow this to be done. He would like some explanation as to the religious teaching to be given in the school after it had been confiscated.

THE EARL OF CREWE: The noble Marquess talks as though the school would be taken away without the possibility of an arrangement being arrived at. There is nothing whatever to prevent a private owner making an arrangement under Clause 3, by which he would have his share of facilities and Cowper-Temple teaching. If he were to leave the school open until another school could be built, it would be carried on for a year; whereas if he insisted on closing it directly, he might, as I say, dislocate the whole of the education of the district. The school is his private property, and he may shut the door. But he is doing an unwarrantable thing if he turns it into anything else until other provision can be made; and this clause is intended to penalise him. During the period that it is conducted it will be conducted as a council school under ordinary arrangements made by the council.

THE MARQUESS OF LONDONDERRY: What is to be the religious instruction given in that school if it is taken in the way described?

THE EARL OF CREWE: The owner can either make an arrangement or go before the Commission. This is only in case he shuts the doors of his schools without a word to anybody.

Amendment, by leave, withdrawn.

Clause 12 agreed to.

The Marquess of Londonderry.

Clause 13:—

LORD BELPER moved to leave out "any other Parliamentary grant" and to insert "the amount now paid under Parliamentary grants to each local education authority." He was quite aware that any substantial Amendment to this clause was not competent to be moved in their Lordships' House, but there were a great many noble Lords, who, like himself, had paid considerable attention for many years to county finance, and he thought it was not only their right, but their positive duty to ask for some assurance from the Government, in order to dispel the great anxiety and apprehension felt by members of county councils and those who had the administration of education, with regard not only to the operation of this clause, but as to what would happen with regard to the further grant to be distributed. He thought that in making a reference to what the Government's intentions were it would be more convenient if he referred to the Answer given by the President of the Board of Education to a Question in the other House. It was the most authoritative statement made by any member of the Government on the matter. In that statement Mr. Birrell said that the distribution of the new grant—the £1,000,000—would have regard both to the actual increase of local burden consequent upon the Bill and to the amount of the education burden in an area. He (Mr. Birrell) believed there could be no doubt that taking the country as a whole the sum named in the Bill would considerably more than cover the total liabilities that could be reasonably expected to accrue to the local authorities in respect of the new burden and the structural repairs of the voluntary schools taken over, also in respect of sums paid by way of rent and otherwise, or in the shape of new annual charges for sinking fund and interest in respect of new council schools. While the statement of the Minister for Education was so far satisfactory that this grant was to have regard to the actual increase of local burdens, and while he stated that there was no doubt that it would be sufficient for the purpose with regard to the taking over of voluntary schools, he had to notice that in dealing with this sum of money which Mr. Birrell said was to meet the burden of education caused by the Bill he did not mention a number of clauses which would cause considerable expense to county councils if the Bill passed into law in its present form. He was alluding only to provisions which were either in the Bill when it was introduced in the other House or which were put in by Amendments which the Government themselves approved.

He would like to point out some of the principal clauses which would have an effect on the financial burden on the counties. In the first place the voluntary schools for the time being would be liable to be rated. The county authority would have to pay the rate on all the voluntary schools they took over. There would also be an indirect effect with regard to that matter, because whereas many council schools had not at present been rated it was quite certain they would be when all the voluntary schools fell in. By the same clause the correspondence from all the voluntary schools, which had been hitherto done voluntarily, would have to be paid for, and that would require a substantial sum. Then they came to Clause 8. He did not wish to fight over again the difference of opinion they had the other night with regard to what he considered was certain to be some increase on the teachers' salaries in consequence of the provision that they should not be liable to perform the duty of giving religious instruction. He was bound to say he could not see how they could avoid some extra expense on that head. If the Government could give some assurance that no teacher should get for giving secular instruction as much as he had been getting before for giving religious instruction as well, and that religious instruction, therefore, would, if it was an extra, not make his salary up to more than it was now, he would be happy to receive it; but, as things were, he thought this would necessitate a charge on the county.

He now came to the delegation clause. There could not be any doubt that that clause would make a very substantial extra charge on the county, because the county would have to pay the staff of the delegated bodies as well as their correspondents, and there would certainly be no proportionate decrease in the charges for the clerical staff of the local authorities. In fact it was very doubtful whether the central authority would not have to pay quite as many clerks in order to conduct the correspondence with the delegated bodies. Then they came to another clause which had not been discussed yet in their Lordships' House—a clause which imposed an absolute obligation on the authority to have a medical inspection of all the children in the school when they entered the school and at other times. He did not wish to dwell upon this point now, because he had an Amendment down with regard to it. But, as a matter of fact, when the Bill was introduced it gave power to the local education authority to deal with this matter, whereas it had since been changed to a duty, and, therefore, as it stood now, it was an absolute obligation. He thought he would be able to show, when they came to the clause, that in country districts with scattered schools the provision would not only be most difficult to carry out, but that a considerable amount of extra charge would be imposed on the local authorities if they were to administer that part of the Bill in a satisfactory manner.

He had had estimates made in his own county and had seen estimates prepared in other counties with regard to these charges. He would not quote them for the reason that there was no doubt the figures must vary according to the exact form which the Bill eventually took. Figures at this stage, therefore, must be to a large extent guesswork. But the figures he had obtained had been very carefully checked and the charges mentioned came to a larger sum than the amount which would be applied under those heads and which Mr. Birrell said would be amply sufficient for the purpose. Even supposing they accepted the statement that £1,000,000 was amply sufficient for the purposes mentioned by Mr. Birrell there would still be a further considerable charge for which no provision had been made or considered. That was a point of importance, and he mentioned it because he hoped the noble Earl in charge of the Bill would be able to tell them that the Government would be willing to set aside a grant to cover those matters as well as the matters mentioned in Mr. Birrell's statement. That was only one point of the case to which he wished to allude.

The other point was one of equal importance and on which the country at large felt very great apprehension. He might say with regard to those points that the Education Committee of the County Councils Association only a few days ago passed a resolution supporting the contention which he was laying before the House. In that resolution they stated that it was clear that any scheme for the distribution of the Exchequer grant which was to have regard in some equitable manner to the total burden borne by the local authorities must involve a readjustment of the Exchequer grants in aid of elementary education. It was proposed to pay these different grants at convenient intervals, which would be a very great convenience to county councils. The point on which they were alarmed was this fact, that when these grants were to be paid it did not follow that the county councils would receive the same sums as they were receiving now. Mr. Birrell's statement made it perfectly clear that the distribution of the grants, including the £1,000,000, was to depend to a certain extent on the total burden borne by the locality in respect of elementary education. There had been revelations with regard to some localities in populous districts of late, and they knew that in some cases the rate might be very much increased owing to gross mismanagement and extravagance, to use no stronger term. He would like from the noble Earl some assurance of the test they were going to apply to the local authorities, and that the money would not be paid to a local authority according to its extravagance.

This became a very serious matter to county councils who had endeavoured to keep their rates down, and to manage matters in an economical manner. He could conceive no more dangerous principle to be applied to local government than that encouragement should be given to the idea that those who were extravagant and had in consequence raised their rates to a high point would get a larger share of the grants than those who were economical. Local education authorities should have at least the same share of the Government grant that they had before, and the Bill should not involve an extra charge on the administration of education.

Amendment moved—

"In page 11, line 1, to leave out the words 'any other Paliamentary grant,' and insert the words 'the amount now paid under Parliamentary grants to each local education authority.'"—(*Lord Belper.*)

THE EARL OF CREWE: We have had one or two brief discussions on this subject already in this House, and, as my noble friend said, the matter has been dealt with to some extent in another place by my right hon. friend the President of the Board of Education. I have very little to add to what I have said before.

The round figure of £1,000,000 named in the clause does not purport to represent a definite calculation, because such a calculation is impossible. If we had cared to pretend that we were able to put down so much a place as the cost of taking over the school we could, of course, have done so, but we should not have been able to bring forward any really rational basis for such a calculation. This sum, therefore, is in the nature of an estimate, and we can only say of it that we believe it to be a tolerably liberal estimate, having regard to all the facts of the case.

A noble Lord opposite has compared our proceeding disadvantageously with the provision made in the Act of 1902. Now the Act of 1902, Clause 10, always seemed to me to be like a bad dream, and I should be rather surprised if any noble Lord could tell me what it means. It is obvious that the terms under which schools are likely to be taken over will vary greatly. Any attempt to calculate, first the number of schools that will probably be taken over, and, secondly, what is likely to be paid, is hopeless; and therefore, it is necessary to make a broad estimate of the amount in a round sum. The new grant is to be applied in two different ways—partly to the increased burden consequent on the operation of the Bill, and partly to the total amount of the education rate of the year. At the same time local authorities must not suppose that whatever expense they choose to incur under the Bill the State will see them through. Such an understanding would put a premium on extravagance. We desire to encourage the local authorities to be as economical as possible consistently with the interests of education.

The noble Lord desired to know whether we could promise that in no case would rates be higher under the Bill than before. We certainly do not desire to level all grants in such a manner as would penalise those authorities that were economical. But there are cases of poor districts, where the education rate produces so small an amount and the total burden of the cost is so great, in which some special kind of State assistance will have to be given. Whether the sum proposed to be allocated for the grant will have to be increased I am not in a position to say. A careful Minister is not likely to put a larger burden on the rates than he can possibly help, for he realises the curious fact that while people accept without a murmur heavy Imperial taxation, they go into convulsions at the prospect of an extra twopence on the rates. I think the noble Lord must rely on that fact to ensure that a Chancellor of the Exchequer, careful of the popularity of his Government, would not allow the rates to rise any higher than he could help. The discussion of the Amendment is really academic or of the debating society sort, for, of course, it is not in order, and I have no doubt the noble Lord has no desire to press it.

THE MARQUESS OF HUNTLY said that although he was sufficiently alarmed before hearing the speech of the Lord President of the Council as to the effect of this Bill in the counties and the local authorities' areas, since that speech his alarm had become intensified, and he considered that the situation, from the explanations the noble Earl had given as to the distribution of this grant, had become much more serious. He understood the noble Earl to say that this grant of a million was a round sum estimated upon no fixed basis, and that it was hopeless to calculate the amount which would be required to meet the demands under the Bill. He hoped before he sat down to show their Lordships that these calculations might have been made very much more nearly than they had been, and that the amount which had been calculated by the Government was very considerably less than would be required. After telling them that he could not calculate the exact amount to be required, the noble Earl had said that the distribution of the grant would depend on the actual increase on account of the Bill and on the total amount of the rate in the area. That raised a large and serious question. If they had to deal with the grant for other subjects beyond what were required by the Bill the country ought to understand distinctly that this was the object with which it was brought forward. No one had any objection to the relief of what were called necessitous areas, and he heard with great sympathy what the noble Earl said as to those areas which had not had the advantage of voluntary schools, which, having poor rateable values, were, therefore, in an impecunious position through high rates. If they were to be relieved out of this grant there should be a clause in the Bill distinctly stating that. He did not believe there was a person in the realm, and certainly there was no one of their Lordships who would object or could raise any objection, whether legally by the forms of the House or on the platform outside, to a grant being given towards the relief of those areas, but when he heard that conditions for the relief of those areas were to be incorporated in a Bill brought in for the purpose of satisfying a few who wished to see the Act of 1902 amended, he did not see why the two subjects should be mixed up together. He understood the Lord President of the Council to say he was quite certain that each authority would get some share of the grant. That was a way of dealing with this question which, speaking for his own local authority and for the County Councils' Association, who had unanimously passed a resolution to which Lord Belper had alluded, had alarmed every local authority in the country. If they were only to be told that they were to get some share they were in this position, that they knew not how to approach any consideration or administration of the Act. It was not fair to tell them that they were only to get a share. They wanted to be assured that the total expenses of the Bill, which had been forced upon them, would be met out of the Exchequer grant, and if the Exchequer grant was insufficient that there would be further grants. It was this that they were anxious about. Those who looked upon the Bill as a great measure of educational reform must be very sanguine people. As far as it had gone he looked upon it as the most extravagant measure ever produced in Parliament. The Government had distinctly come forward to take over buildings which had been voluntarily given for educational purposes. They offered to pay for them. If they did not wish to take them over they would have to build others. They would not go to the country and say what the cost of providing those buildings would be. It would be a great more than the £1,000,000 grant, and it was, therefore, he maintained, an extravagant Bill. But they recognised that it was a Bill which was required. There was a certain section of the public who demanded that the 1902 Act should be amended in this direction, and the Bill was brought in. He was one of those who only hoped there might be some compromise arrived at which would allow the Bill to pass, and that they would be spared further agitation upon the matter. But what he maintained on behalf of the ratepayer was that whatever Bill they passed, they should see that he was not more mulcted in his pocket, that there was no increase in the rates because they had chosen to pass the measure. What alarmed them was the Answer given by the Lord President of the Council to the Question put by his noble friend, Lord Camperdown, when he confessed in his most charming manner that he always had the rates to fall back upon. That was a most dangerous state of matters. The Bill dealt, as he would show directly, with subjects of far-reaching extent and importance, but they had no estimate of what it was going to cost. The Government rushed into the matter with a million that they could not apportion, the basis of which they did not know, and they did it because they had the rates to fall back upon. The noble Earl had said that these statistics as to the cost of the Bill were impossible to arrive at. His noble friend, Lord Belper, when he alluded to the extra cost that would be entailed upon local authorities, alluded to the rates which would be put upon the schools, to the extra pay which would probably have to be given to the teachers, to the extra cost of delegation, and to the cost of medical inspection under Clause 24. But he left out what in his (Lord Huntly's) opinion was by far the greatest bulk of the cost which would fall upon the local authorities. He had taken the trouble of sending round for a Return to try to estimate the probable cost of repairs. He asked the Government whether they were trying to get some estimate but they felt that they were not able to do so. He therefore sent round for a Return to some thirty or forty councils in England and got Returns from nineteen. He based his calculations on the repairs the local authorities had to make to the provided schools, and he calculated the number of non-provided schools and the cost to the local authorities of taking them over. Taking these nineteen counties as typical for the whole of the country, he found that the estimated cost of the voluntary schools being taken over by the local authorities, upon the same basis as the charge entailed upon them by the provided schools, would be equal to a rate of 1½d. in the pound for the whole country. He had since verified this estimate. In some counties the cost would be much higher than in others, but taking the average of the counties they would find that this was the cost per school for repairs alone. Their experience as a local authority in taking over the council schools—the schools which were built under the enlightened, intelligent management of the school boards—was that every one of them was in a lamentable state. The walls were falling down, there were no sanitary arrangements, and the expense of taking them over had been very considerable. He was not alluding to structural alterations in his Returns. He only asked for ordinary repairs to provided schools. This being the case with the provided schools, if they took over only two-thirds of the non-provided or voluntary schools the whole of the proposed £1,000,000 grant would be swallowed up in repairs. A penny in the £ upon the rateable value of the country only fetched £725,000 a year. Therefore 1⅓d. in the £ was exactly the £1,000,000 the grant would give them. If these calculations were anywhere near correct the whole of the grant which the Exchequer proposed would be swallowed up in the repairs of the schools they were to take over. But besides this, was no rent to be paid for these schools? That was another item. He presumed that some rent was to be paid.

LORD BELPER, interposing, said he did not allude to any of the matters that were included under the heads which Mr. Birrell said would be amply met by the £1,000,000. He did not allude to them, not because he thought they were of no importance, but because he did not think it worth while.

THE MARQUESS OF HUNTLY said he understood the noble Lord. Then there was the cost of the improvements to the transferred schools, and if their experience of the council schools was anything to go upon, they would have to do a great deal to meet the Board of Education's desires with regard to these schools. Moreover, if they were not transferred to them they would have to provide new schools. These also had to come out of the £1,000,000 grant. Then there were the legal expenses in connection with all these matters. He thought it was the noble Earl the Lord President of the Council who said in the course of the debate that the question as to how this rate or grant was to be allocated could be safely left to the Board of Education, who would consider which were the deserving areas, the poor areas, and how the grant was to be distributed and that it was to be allocated, not to provide merely for the expenses they had alluded to, but according to the high knowledge, sense, and wisdom of the Board of Education. He had heard that the Board deprecated excessive work being put upon it, but if ever there was an invidious task put upon a public department it was to discriminate in a grant, to decide between rich and poor, between the local authorities which had been extravagant and those which had been economical, and then to have to meet all the arguments and all the entreaties and all the anger of those who were dissatisfied with the distribution. He considered that there was nothing more absurd than to leave it to the Department to decide as to how the grant was to be distributed and to share it out—it was the most ridiculous form of administration that could possibly be conceived. What they asked for was this. If they were going to pass the Bill as an amending Act to the Act of 1902—if they wished to transfer property from one person to another, let the Government come forward and say they would provide the necessary funds, so that they would not have to fall back upon the ratepayer for any increase. He had heard that evening, he thought from the Front Bench, a sort of plea on behalf of the ratepayers, that their interests were to be considered in the fixing of rents. He would ask the noble Earl the President of the Council this—if at one moment they were asked to consider what rent they should charge for their schoolhouses in the interests of the ratepayers, if they were asked as local authorities to do everythng they could to administer the Act economically, to see that there was no extravagance in its management, and to do their best to see that everything was efficiently done, what encouragement was it to know that there was a department above them which might the next moment override all that, because West Ham or some other place, having built expensive palaces for their children, were heavily rated, and were therefore to have for the purpose of reducing those heavy rates a large portion of the grant that ought to go elsewhere. For these reasons he pleaded that whatever words might be used—whether those his noble friend had moved, or the words he himself had suggested—the Government should distinctly say that whatever was done in administering this Act the funds necessary were to be provided from the Exchequer to meet the cost of the Act.

THE MARQUESS OF LONDONDERRY regretted they had not heard from the noble Earl the Lord President of the Council a fuller speech on this most important question. He could not but think that this question with regard to the so-called million which was to be devoted to the purposes of education had never been fully explained.

THE EARL OF CREWE: Why so-called million?

THE MARQUESS OF LONDONDERRY thought he would be able to prove that the million would not be sufficient. He had on every occasion that this question had arisen endeavoured to extract from the noble Lord the President of the Council some reason as to the sum which had been allocated, and he thought naturally, knowing the difficulties there were in dealing with Chancellors of the Exchequer that in all probability there was no reason to be given why a million should be the sum mentioned, but that it was the sum that the Chancellor of the Exchequer was prepared to give to this grant. He did not know how the sum was arrived at, and he would like to have from the noble Earl some reason going into it more closely than he had done in the comparatively short speech to which time had limited him.

THE EARL OF CREWE: I can assure the noble Marquess that my speech was not in the least limited by considerations of time, and I am afraid I shall not be able to add to it.

THE MARQUESS OF LONDONDERRY said he hoped someone would be able to tell them a little more on the subject. The noble Earl had alluded to the fact that in the Act of 1902, there was a grant of 4s. per head per child. On this matter he spoke subject to correction. He only became Minister for Education when the Bill was more than half way through the House of Commons, and he had not been able in the short time at his command, to refresh his memory on that point, and if he was incorrect, he would appeal to their Lordships' indulgence. The Chancellor of the Exchequer on that occasion gave a grant of 4s. per head per child, and did not take into consideration—and he thought he was quite right—what was the rate per child in the districts in which that rate was levied. It was given, he thought, absolutely independently of what was the rate per child on the local rate.

THE EARL OF CREWE: It was given irrespective of the actual amount of the rate. It was given in respect of the number of children and of the amount which a rate would produce, but it was not given in respect of the actual amount.

THE MARQUESS OF LONDONDERRY said that was his point. It was given per head per child, not what the child cost the rate. That being so, he did not know that the argument of the noble Earl in regard to their having fixed that rate per child was germane to the question before the Committee.

His noble friends Lord Belper and the Marquess of Huntly, who, like so many of their Lordships, were fully acquainted with the question of local government expenses, were naturally looking with terror, if he might use the word, to an additional imposition on the rates already very heavily burdened. He thought it was the noble Earl the Lord President of the Council, who very justly said that it was difficult to deal with financial matters in their Lordships' House because it was, to a certain extent, a question of privilege; but although a question of privilege it was of great advantage that they should discuss these matters, for the simple reason that a great number of the Members of the House took a great interest in their own local concerns. The noble Marquess the Leader of the House was the first chairman of the West Riding County Council, and his services were of great advantage to them, and if they looked round the House they would see a great number of noble Lords, who, though, perhaps, not occupying similar distinguished posts, had still occupied important positions in their various counties, and could give their Lordships enormous assistance in considering the question of local government from whatever point of view they looked at it. He thought the speech of Lord Belper, who occupied an important position in Nottinghamshire, would be of enormous assistance to their Lordships. He had related his experience with regard to local government in Nottinghamshire and had reiterated the cry which was going up from all parts of the country, "Do not add to our rates." He had stated with perfect truth that the Act of 1902 had added materially to the rates of agriculturists in the rural districts, and had created a great amount of dissatisfaction in consequence. He agreed with every word that fell from his noble friend, and he reiterated that if they were going still further to add to that rural rate by this Bill the cry that had been heard would be child's play to what it would be in the future. Therefore it was that he thought the £1,000,000 proposed to be given under the Bill to meet expenses—though what the expenses were he could not gather—ought to be fully accounted for by whoever was in charge of the measure. He had before him the speech of his noble friend the Lord President of the Council made on 23rd October, in which he stated—

> "I have to say that the extra charge thrown on the taxes under the Bill is the sum of £1,000,000 provided by Clause 12, added to the expenses of the Commission formed under Clauses 9 and 10 of the Bill. . . . All that we can say is that in naming this sum of £1,000,000—named, of course, by the Chancellor of the Exchequer with reference to his Budget—we considered that these charges were sufficiently provided for."

He thought that was a very vague way of explaining the manner in which this £1,000,000 was to be expended. Then in reply to his noble friend Lord Avebury on the 29th October, and in reply to his noble friend the Earl of Camperdown, the noble Earl the Lord President of the Council said nothing as to how the amount had been arrived at. But he went on to give them the useful information that—

> "Any further expense will fall upon the rates.'

That was a point upon which his noble friends Lord Belper and the Marquess of Huntly had, he thought, dwelt with great force. According to this there was to be an extra expenditure to fall upon the rates. He hoped they would hear before the debate concluded that this £1,000,000 had been so satisfactorily accounted for that there would be no extra expense falling upon the rates, but keeping in mind the words of the noble Earl that there was to be extra expense on the rates he considered that the interests of the ratepayers required to be protected. The Act of 1870 was a long time to look back to, but their Lordships had undoubtedly read the Act very closely, and would recall to mind the famous speech of Mr. Forster, in which he said that it was almost impossible for the education rate to rise to more than 3d. in the £. He asked their Lordships—if they lived in the parish of St. George's what were their education rates at the present moment? Bearing these facts in mind, he thought the ratepayers had a right to look with some apprehension at the Government's proposal. How was this round sum of money to bear any relation to the possible expenses of the local education authority under the Bill? Again, the Lord President of the Council said on the 23rd October—

> "It is impossible to say to what sum these additional charges will amount. To do that, you would have to look into the minds of many thousands of people, under conditions for which no certain data exists."

He was looking into the minds of thousands of people. What were they thinking of at the present moment? He thought they had a right to ask the noble Lord to give them some idea of what would be in the minds of these thousands of people if they were asked to pay a far higher rate for education than they had been asked to do before this Bill was introduced.

THE EARL OF CREWE: I should explain that the thousands of people were the members of the local authorities who will have to bargain with the other thousands of people representing the owners, and it is impossible without looking into their minds to know what terms they will arrive at.

THE MARQUESS OF LONDONDERRY said that was his point. The Government seemed in absolute ignorance of the thousands who were going to object to this, as well as the thousands who, according to the noble Earl, were going to appreciate it. It was, he thought, most important that they should know what was the opinion of the Government as to the minds of these people. Mr. Birrell stated in introducing the Bill that the actual cost which would be thrown upon the local education authority as a consequence of the Bill could not be estimated at the present moment with any approach to certainty. That was the reason he asked why £1,000,000 was fixed upon. A most extraordinary feature in the introduction and carrying through of this Bill had been the manner in which Ministers had made speeches of the most reckless character, which were not borne out by what they introduced into their Bill, and which were never explained so far as he could gather by noble Lords opposite. He believed himself that the expenditure would be far greater than the £1,000,000 which the noble Earl and the Chancellor of the Exchequer so happily considered would be enough to meet the emergencies of the moment. He was not one of those who had gone very closely into the figures as to what might be the extra expenditure forced upon the country by this Bill, which, he ventured to say the country did not want but for which they would eventually have to pay, and he therefore, apologised for quoting from a paper whose opinions he did not think noble Lords opposite would repudiate. In the *Westminster Gazette*, which he always read with great interest, he saw a paragraph on the 14th of this month stating that at a meeting of the Executive Council of the Education Committees of England and Wales, Sir George Doughty gave the true cost of the Bill. In introducing the Bill, Mr. Birrell said the education grants would be increased by £1,000,000 annually to cover the increased cost, but according to Sir George Doughty a further sum of £2,714,000 would have to be found from the rates. Had noble Lords opposite any reason to doubt the accuracy of this statement although, as far as he could gather from their own statements and speeches, they declared that £1,000,000 per annum would cover the cost?

*LORD FITZMAURICE said that probably most members of the Committee could not have failed to feel a certain sense of unreality about this discussion. Although they were discussing a matter essentially concerned with facts and figures, owing to the position of their Lordships' House in regard to matters of finance they were not only in a comparatively, but in an almost entirely helpless position, because they were not in the position which the House of Commons would be in when a financial matter had been put down for consideration, and Estimates and full details were provided a long time beforehand by the Chancellor of the Exchequer. He was, however, the last person to complain that there should be on that occasion a discussion on the financial aspects of the Bill. On the contrary, he had already, during the preliminary discussion on going into Committee, expressed not only his personal obligation, but the obligation which his colleagues with whom he sat on that Bench, felt to the noble Marquess who had himself joined in the discussion that evening, for the speech and observations he made last summer, during the debate on the Second Reading, in connection with the financial aspect of the Bill, and he then expressed their regret that owing to the comparatively greater interest taken in the controversial and religious aspects of the Bill, those very important aspects of the question to which he alluded had not met with the full recognition at the time which the Government felt they deserved. And again that evening he thought they were indebted to the noble Marquess and to his noble friend who spoke in their Lordships' House with a special claim on this matter, being Chairman of the County Councils' Association, for having again referred to these questions, but nevertheless it was clear that, especially at this stage, they were in a comparatively helpless position, because they were not in the position of a Committee of Supply in the House of Commons, voting money for education, or of the Committee of the House of Commons on the Education Bill looking forward to discussing ultimately the details of finance in Committee of Supply. He only alluded to these facts in order that he should not appear in any way disrespectful to the noble Lords who had spoken if he pointed out that, situated as they were, it was exceedingly difficult for them to supply the facts and figures, even if they existed more fully than he thought they did, which they were called upon to supply, and, to a certain extent, were censured for not having supplied before. Some allusion had been made to previous Education Bills, and the noble Marquess who had just spoken had referred to certain statements made by Mr. Forster at the time of the Bill of 1870. He said, if he understood him correctly, that Mr. Forster had at that time been able to give certain clear pledges as to expenses to the Committee of the House of Commons. The noble Marquess the Leader of the House was President of the Council, and, under the arrangement which then subsisted, he was Minister for Education, and his recollection did not entirely tally with that of the noble Marquess opposite as to the statement made at that time by Mr. Forster. He (the noble Marquess) did not think that Mr. Forster ever pledged himself nor did he think it likely that Mr. Forster would have pledged himself, being a very prudent and cautious statesman, to any such positive assertion upon the question of expense as that which the noble Marquess opposite stated he had made.

THE MARQUESS OF LONDONDERRY: May I interrupt the noble Lord for one moment? I may be wrong—it may have been Mr. Gladstone who stated it. It is certain that in the debate on the Act of 1870 it was declared to be almost impossible for the education rate to rise to more than threepence in the pound.

*LORD FITZMAURICE said he was aware that that statement had very often been attributed to Mr. Forster. He had stated on behalf of the noble Marquess who sat on that Bench that it did not tally with his recollection. But let him assume that the statement was made by Mr. Forster—and they all knew that the education rate under the Act of 1870 very greatly exceeded the sums originally named—was not that a warning against indulging in premature statements? That, after all, was the gist of their position. When the Government were asked "Is the rate going to be increased in this or that place?" all they could say was that they could not give any positive pledge in regard to any particular place, because the circumstances were so infinite and various. They were now at a preliminary stage in finance. All that this clause did was to say that a million of money would be voted in addition to sums which were already voted, and that that million was given on account of the increased expenses of the Act; but if they were asked to say that the rate would be increased here or would not be increased there they were asked to give information which, from the very nature of the circumstances, it was impossible to give. The noble Marquess who had just spoken and who introduced this subject on the Second Reading of the Bill had with admirable industry obtained and with perfect sincerity quoted from nineteen counties certain facts and figures in regard to the probable character of the expenses connected with the repairs which might have to be met under the Bill. He would point out to the noble Marquess, without in the least impugning the facts which he had given, how very misleading it would be to suppose that the facts and figures which he had collected in regard to these nineteen counties, even assuming them to be correct in every detail, were necessarily a sure guide to others, because those who were connected with the administration of county councils knew perfectly well that since 1902 the course and conduct of different county councils in regard to this particular matter of repairs had been as different as possible. If he was not taking up too much of the time of the Committee he would give one single illustration from his own experience. The county council with which he had been connected took a very strong line after the Act of 1902 in regard to the question of repairs. They called upon all the voluntary schools to put their house in order. They scheduled all the schools in the county under three heads, *a*, *b*, and *c*, and called upon them to carry out all these repairs under the three different heads in three years. That had meant, naturally, a very great cost in structural repairs, not to the county councils, but to those voluntary managers. They had had to put their house in order. In a neighbouring county across the border —he need not mention the name —a different line was adopted. They decided to wait, and the result had been that hardly anything had been done by the voluntary managers in spending money on repairs.

THE MARQUESS OF HUNTLY: The Returns I gave only referred to provided schools. They did not include any voluntary or non-provided schools.

*LORD FITZMAURICE said he was aware of that. He was coming to the fact of the probable cost of this Act in regard to repairs in the future. Naturally, that depended very largely upon what had happened in the past. Supposing this Bill became law, it was perfectly clear that the amount of expenditure which would have to be incurred by the county educational authority in regard to structural repairs in the voluntary schools, which would become provided schools and therefore be thrown upon the county rate, aided by Government grants, would be enormously larger than those expenses to be incurred in the county where nearly the whole of this work had already been done, and had been thrown by a wise policy upon the structural funds which were now entirely under the control of the voluntary school managers. He might be told that in making the arrangements for rental that different state of things would be taken into account. That was perfectly true, but then the Committee would see that all these facts, taken together, pointed to the conclusion that they could not possibly lay down any general canon or law, and say that they were in a position to answer such questions as the Government had been asked, or to state whether in regard to any particular district and how much extra expense would be thrown upon the rates, even in regard to this question of repairs. If they went beyond that and dealt with all those large questions which had been legitimately raised by the noble Marquess and by his noble friend, they were clearly entering into the regions of the unknown. What they had said was that the Chancellor of the Exchequer, according to his view of what was financially possible and according to such calculations as the Board of Education had been able to furnish him, had come to the conclusion that a million of money fairly represented the principal increased cost arising from this Bill.

LORD BELPER: For certain purposes under the Bill, but not for certain purposes that I gave.

*LORD FITZMAURICE said he was only repeating what had been said by the Lord President of the Council, and had been trying to point out that it was impossible to enter into the details suggested by the inquiry of his noble friend, and by the Amendments which he and the noble Marquess had placed upon the Paper. And if he wanted to find an encouragement for the cautious policy which the Government had adopted in regard to making statements with reference to detail and any particular case he would find it in the history of what happened under the Act of 1902, because there, undoubtedly, a far larger attempt was made by the Government of the time to enter into the question of the details of the probable expenditure than the present Government had done. The tenth secton of the Act of 1902 made an attempt, supported and fortified as it was by information presented to Parliament, to make Parliament believe—and no doubt the intention was a perfectly honest one—that the additional grants given under that Act would meet the probable expenditure under it. There were many—he thought he might say he was one of them—who expressed a great deal of scepticism on the point.

What was the result? They knew that the rates went up by leaps and bounds, and that it would have been far more prudent had the Government of 1902 contented themselves with a general statement and had not entered so much into the region of prophecy. The discontent was immediate. He had always admired the courage of that Government in walking into the lion's den, the den of that lion called the British ratepayer, and he was much inclined to think that it was the unpopularity of the education rate which had something to do with a certain political revolution which had landed Ministers on the Treasury bench. Therefore, with the warning of those dangers behind them, surely the present Government had acted wisely in telling Parliament what they could tell it—that was to say, what the Chancellor of the Exchequer could give—and pointing out that there was a *bona fide* desire and belief that that amount would be sufficient to meet the immediate expenses of the Act coming into operation. The Bill was not, however, coming into full operation for some little time from now, and next year the Chancellor of the Exchequer would probably be able then to give fuller information, at a time when the local authorities would be also in a position to furnish the Education Department with far fuller calculations than they could make at present.

VISCOUNT GOSCHEN said that, unfortunately, by that time the Bill would be passed and the expenses would have to be paid by the ratepayers or taxpayers. The question was, did the Government believe this million would be sufficient? They were warning the Government that they were walking again into the lion's den, and that if the Bill went on on the same scale as at present an event would happen which they would either regret or not regret—the present Government would incur that immense unpopularity which followed on the Act of 1902. It had been suggested that there was an unreality about this debate, but it appeared to him it was extremely real, and that there were issues which their Lordships were entitled to discuss quite as much as any other subject. It was partly for this reason that he rose to put in a protest against the view that had been expressed that because their Lordships' House could not vote upon finance they should not discuss it.

THE EARL OF CREWE said he certainly did not mean to imply that. All he meant to imply was that the discussion of details this evening was premature.

VISCOUNT GOSCHEN thought the noble Earl went further than that, and said that they could not deal with these matters. The noble Earl rather put it to their Lordships that they were really upon an academic question, and that they could not have estimates submitted to them. There was no reason why a careful memorandum should not be prepared giving more information than they had at present. The question was, what could they do by this debate? They could do something that was not always possible in the other House, and that was to debate the matter, and endeavour, if nothing else, to elicit information which was at the back of the minds of Ministers. There was one question which had not been answered. Did the Board of Education merely consider such questions as repairs and rent in calculating the £1,000,000, or did they consider the increased cost to be incurred all down the line by the administration of this Act? There would be increased payments for correspondence, medical inspection, and in various other directions, even at headquarters. His noble friend, who understood this matter as well as anybody, said it had been computed by county council authorities that the additional expense would be likely to equal the £1,000,000 which the Board of Education had calculated for particular services. Was it calculated that such expenditure would fall within or outside that £1,000,000? If it were outside the £1,000,000, did it not show that it was really the duty of those Members of their Lordships' House who were so thoroughly acquainted with this matter to point out that, although the £1,000,000 might or might not be adequate for the purposes to which Mr. Birrell intended it should apply, there was beyond that an expense that would fall upon the taxpayer or ratepayer? In other words, there was already foreseen what was feared, but not foreseen in the case of the other Acts, namely, that this Bill would impose an immensely larger burden either on the taxpayer or on the ratepayer than was estimated by His Majesty's Government.

THE EARL OF CREWE said it would certainly not be accurate to say that the prospective cost of each particular item had been accurately calculated by the Board of Education.

VISCOUNT GOSCHEN: Accurately, or not at all?

THE EARL OF CREWE said they had been considered, but he could not say that they had been calculated in the sense in which the noble Viscount meant calculated, and that applied equally to the charges named by his right hon. friend. They had not attempted to calculate the £1,000,000 itself, and, therefore, anything which, in the opinion of noble Lords, might lead to that £1,000,000 being exceeded had equally not been calculated. The subjects mentioned by his right hon. friend as being likely to be covered by the £1,000,000 would, no doubt, leave a certain margin, but whether that margin would be sufficient to meet the other charges, such as medical inspection, he certainly was not able to say. But, speaking generally, he must say that, although these various items appeared in the Bill, it appeared to them that the time to discuss whether the sum allocated was enough would be far more appropriate to the time when the Bill which was to include all the grants was before the House. Then, if noble Lords were able, as they thought, to prove their case that it was inevitable that, in certain cases, the rates must necessarily rise in consequence of this legislation, they would have a more or less good case to make out to the Chancellor of the Exchequer. But they must not be taken as accepting at this stage all the calculations county councils chose, in a somewhat nervous moment such as the present, to make. These calculations — a good many of which they had seen—varied in the most singular manner, and the Government were not at all prepared to admit in each case the basis on which those who made the calculations seemed to rely. The noble Marquess opposite had carefully guarded himself from adopting the rather startling figures named by Sir George Doughty at the recent meeting of the Education Committees. He had no conception on what those figures were founded, but he should be very sorry to be regarded as agreeing in any way with the suggestion that something like £2,500,000 or more would be needed apart from the sum the Government had allowed for.

VISCOUNT RIDLEY observed that the noble Earl had attempted again to put off the consideration of this grant of £1,000,000 which was really not discussed at all in another place. They would be aware that owing to the operation of the closure this grant was practically not dealt with in another place, and now their Lordships' House was asked to wait until next year to deal with a question which, according to the noble Lord's own confession, this House was unable adequately to deal with. If their Lordships' were not to be allowed to deal with this question they might at least ask that the Government should have it properly considered in another place, and he ventured to say that many of their Lordships who had given long years to the administration of educational affairs in their own counties had at least a right to express some opinion as to what the probable effect of this Act on expenditure would be. There was nobody more qualified than Members of this House—composed as it was largely of men who had given much time to local affairs—to examine and probe into these questions.

THE EARL OF CREWE said he had never suggested it was anything but proper to discuss this matter. His observations with regard to the postponement of the question applied equally to the other House.

VISCOUNT RIDLEY said he apologised to the noble Earl. He was confusing the noble Earl with his noble friend Lord Fitzmaurice.

LORD FITZMAURICE said he did not make any such observations.

VISCOUNT RIDLEY said in that case he must also apologise to the noble Lord. Whatever might have been the statements of the representatives of His Majesty's Government, there stood in the Bill this clause asking for £1,000,000 to be devoted to the purposes of the Bill, and when a Member of the Government got up and told the House that they had no basis of calculation as to whether it would or would not meet the expense he thought the Government were somewhat misleading the country. £1,000,000 were to be provided by the taxpayers for the purposes of the Bill. Was that £1,000,000 sufficient or not? If not, why was it not changed to £2,000,000? If it were, why not present the basis on which the expense had been calculated? On these grounds the discussion had been a very profitable one as tending to show to the country that there was no basis for the expenditure which the Government had estimated. The clause was totally misleading as to what the cost of the Bill would be. For all they knew the figures of Sir George Doughty that the Bill was going to cost £3,500,000 to the country might be accurate. Those figures might be right or wrong, but the Government had the best means of knowing, and the country would have some right to complain when they found that the Bill was going to cost £3,500,000 after having been told that the cost would be only £1,000,000.

*THE MARQUESS OF RIPON said noble Lords opposite seemed to think that the Government had been inclined to complain of this discussion as being irregular or improper. That was not at all the view the Government took. Of course their Lordships had a perfect right to discuss this financial provision, but not to deal with it by way of Amendment. He did not deny that the discussion had been a valuable one; but he was bound to say that he thought the Government would be exceedingly unwise if they committed the mistake of other Governments and ventured into prophecies. By the courtesy of the noble Marquess opposite he had a statement made by Mr. Forster in 1870, which fully bore out his belief that it was an exaggeration to say that Mr. Forster had said it was incredible or impossible that the expenditure should exceed 3d. in the £. The extract from the statement of Mr. Forster was—

> "But should it exceed 3d. in the £—and I do not believe it will amount to anything like that sum in the vast majority of cases—there is a clause in the Bill which stipulates that there shall be a considerable extra grant made."

He had heard that statement about Mr. Forster and 3d. in the £ for many years, and it only showed that prophecies of that kind were not wise. Everybody was aware that the expenditure on education in this country would go on increasing from year to year. Nobody was more inclined than Mr. Forster to take any opportunity that might offer to screw up the standard of education. If the prophecy were erroneous—he, however, did not think it was, because he believed it referred to the state of things at that time—but if it were erroneous, no less erroneous was the estimate of the late Government in respect of the Act of 1902. It was not a judicious thing to make statements of that kind, and the present Government were not going to do so on this occasion. Next session there would be ample opportunity to discuss the matter.

*THE MARQUESS OF LANSDOWNE said that the noble Marquess had laid down a sound doctrine, which he hoped would always find acceptance in this House, when he admitted the right of their Lordships to discuss these financial questions. They had had an interesting and instructive discussion, and they had obtained virtually from the Government a frank admission of what had always been suspected—namely, that this figure of £1,000,000 was a shot, and nothing more than a shot. When the Bill was recommended to the people as a measure which was not likely to cost more than the sum mentioned in the clause, he thought that the people would now understand what such anticipations were worth. The Government said that they would not undertake to favour the House with a prophecy as to the expense. Everyone knew the adage, "It is unwise to prophesy unless you know"; and as the Government did not know, they were wise not to prophesy. Their Lordships must be content to pass the Bill in absolute ignorance of its financial aspects. That was the fact brought out more clearly than ever in the discussion which had just taken place.

LORD BELPER did not think that the points he had raised had been answered. He had pointed out that besides the sum set aside by the Minister for Education for certain purposes which he had specified, there were other charges in the Bill which would entail a considerable expenditure, and he had asked whether a sum would be set aside to meet those charges also. They were told that any statements on the subject were premature. Why was it premature to set aside in one case but not in another? He did not ask the Government to prophesy what the matters he had referred to would cost, but to say whether or not if they cost anything they would meet it by a grant. That question had never been answered. The only other point was the question upon whom the burden would fall, and the answer he had received to that was that the Chancellor of the Exchequer would no doubt be anxious to take care that the rates should not be high. He had never heard a poorer consolation offered, because his experience of Chancellors of the Exchequer was that they were much more anxious to prevent the taxes rising than the rates rising, and therefore if the ratepayer had to be content with that, he had a very small crumb of comfort. He thought their Lordships had a right to raise this question, and it had been of very great interest. It was not discussed in the other House. He hoped the result of the discussion would be that the Government would consider more than they appeared to have considered so far what were the charges to be thrown on the unfortunate ratepayers, and that on a future occasion at all events this discussion would bear some fruit. He withdrew his Amendment. He did not know whether it overstepped the lines of privilege, but he was quite sure that when the Bill was brought in next year the House of Commons would introduce whatever they liked without regard to this Motion.

Amendment, by leave, withdrawn.

On Question, Clause 13 agreed to.

*THE LORD ARCHBISHOP OF CANTERBURY moved to insert a new clause providing that the Board of Education may recognise as a State-aided school any school which, though not a public elementary school provided by the local education authority, fulfilled the conditions laid down in the Code of regulations for public elementary schools for the time being in force in regard to management, premises, accommodation, equipment, teaching staff, curriculum, and inspection, and providing certain conditions for such recognition. He said that when discussing Clause 5 he foreshadowed the possibility that he might at a later stage suggest some larger development of the provision which that clause contained for allowing what were called State-aided schools. The fact that he had an Amendment of this sort on the Paper seemed to have given rise outside the House, and perhaps in the House, in some quarters, to a very unfortunate misapprehension, which he desired to remove as speedily as possible. It had been said that he had laid down here an alternative scheme which might take the place of the 'concessions' contained in the Bill, and he believed it had been suggested that the alleviations set forth in Clauses 3 and 4 might be supplanted by the acceptance of some such clause as the one he now proposed. He had been told that if this clause were accepted it ought in itself to go far to satisfy the denominationalist claims. That was a total and absolute misapprehension of his intention. Nothing of the kind existed in his mind; he had no thought whatever of this being a concession to denominationalists as such. He had put the clause on the Paper, not as representing in any way the Church or church views, but simply as an educationist, with the idea of helping forward educational progress, and with no direct bearing at all on the denominational questions which might conceivably be involved in it. He desired most strongly to emphasise the fact that those who sat upon the episcopal Bench, at least as truly as those who sat on other Benches in this House, desired to act as educationists in this controversy and not merely as ecclesiastics or representatives of the church. They wanted to set forward the progress of education, and it was in that capacity that he proposed this Amendment. He believed all educational authorities, not only here, but on the Continent of Europe and across the Atlantic were agreed that educational progress depended on a due opportunity for variety and elasticity rather than upon a mere stiff rigidity and uniformity. It was for that reason he desired that they should place in this Act, if it should become an Act, something that would recognise the possibilities of development in different ways. While the analogy that might be drawn between England and Scotland must never be pressed too far, any one who knew the educational circumstances of Scotland was well aware of the satisfactory condition in which not a few Scottish schools stood to-day which were State-aided schools. There were 355 such schools in Scotland, forming a little over 11 per cent. of the whole elementary schools in the country. Those schools were kept in a wholesome state, because the Education Department saw that they were not allowed to become schools of an inferior type. His desire was to screw up the educational efficiency of such schools to so high a point that they never could be regarded as a reversion to an inferior system. It depended simply on the administrative work of the Board of Education whether the schools thus started were to be as efficient and thorough as they might be made to be. He did not anticipate that if this Amendment were accepted a great number of such schools would spring at once into being, but he hoped that before many years it would be found that some of the most efficient and active schools in England would be schools coming under the category described. Scotland thus would, not for the first time, set an example to England, and if England followed it he believed she would go far to improve her educational system. They had already accepted the existence of State-aided schools, but under certain limits, and, as it appeared to him, unsatisfactory conditions. They were to come into existence only when the manner in which the extended facilities were worked by the local authority was not satisfactory to the owners of the schools. But the object of his Amendment was to bring about a natural and legitimate development of State-aided schools. It was quite possible that the denominational difficulty might be smoothed in some districts by the adoption of his clause. But that was not the reason why he submitted it. He submitted it to their Lordships solely in the interests of education, and simply because he believed there would be a gain in having this kind of school alive and vigorous alongside of their other plans.

Amendment moved—

"To insert the following new clause:—'(1) The Board of Education may recognise as a State-aided school, efficiently contributing to the public education of the district in which it is situated, any school which, though not a public elementary school provided by the local education authority, fulfils the conditions laid down in the code of regulations for public elementary schools for the time being in force in regard to management, premises, accommodation, equipment, teaching staff, curriculum and inspection, and in respect of which an application is made to them for recognition by the managers. But it shall be a condition to any such recognition that—(*a*) The Board of Education are satisfied that the teachers are adequately remunerated, regard being had to the rate of salaries paid by the local education authority to teachers in public elementary schools in the area; (*b*) the managers guarantee the use and the cost of the upkeep of the school buildings and premises and all other cost of maintaining the school (except such part of the cost as may be defrayed by Parliamentary grants) for a period of three years, which guarantee shall be renewable from time to time; (*c*) the regulations contained in paragraphs one, two, and three of Section 7 of the Elementary Education Act, 1870 (a copy of which shall be conspicuously put up in the school) are complied with in the case of the school. (2) Where a school is recognised under this section as a State-aided school the Board of Education shall, notwithstanding anything in the Education Acts, 1870 to 1903, or in this Act, pay to that school the Parliamentary grants which would be payable in respect of the school or of the scholars attending the school if it were a public elementary school provided by the local education authority. (3) A State-aided school shall be treated as a public elementary school for the purpose of the Elementary School Teachers' (Superannuation) Act, 1898. (4) A State-aided school shall be under the control of the managers, who, in addition to their other powers of management, shall have power to make provision for giving religious instruction of some special character not permitted under Section 14 of the Elementary Education Act, 1870, and to charge school fees not exceeding ninepence per week, and to refuse admission to children for whom they have not sufficient accommodation or sufficient teaching staff. (5) A State-aided school and its registers shall at all reasonable times be open to the school attendance officers of the local education authority, but shall not be otherwise controlled or maintained by the authority. (6) Nothing in this section shall affect the power of a local education authority to provide such school accommodation in public elementary schools provided by it as it may consider desirable for any district in which a State-aided school is situated, and in so doing the authority shall have regard to the wishes of parents who do not desire their children to attend any such State-aided school."

House resumed, and to be again in Committee To-morrow.

House adjourned at five minutes past Eleven o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS.

Monday, 19*th November*, 1906.

The House met at quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Dover Harbour (Works etc.), Bill [Lords]. (King's consent signified). Bill read the third time and passed, with Amendments.

Great Northern Railway (Ireland) Bill [Lords]. As amended, considered. To be read the third time.

Blairgowrie, Rattray, and District Water Order Confirmation Bill. Considered. To be read the third time to-morrow.

PETITIONS.

ECCLESIASTICAL ASSESSMENTS (SCOTLAND) BILL.

Petition from Stonehouse, in favour; to lie upon the Table.

IMMORAL LITERATURE AND POSTCARDS.

Petition from Oxford, for legislation; to lie upon the Table.

RETURNS, REPORTS, ETC.

STRAITS SETTLEMENTS.

Copy presented, of Correspondence respecting the Expropriation of the Tanjong Pagar Dock Company, Limited [by Command]; to lie upon the Table.

COLONIAL REPORTS (ANNUAL).

Copy presented, of Colonial Report No. 509 (Fiji, Annual Report for 1905) [by Command]; to lie upon the Table.

TRADE REPORTS (ANNUAL SERIES).

Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 3730 and 3731 [by Command]; to lie upon the Table.

BOARD OF EDUCATION.

Copy presented, of Statistics of Public Education in England and Wales, 1904–5–6 [by Command]; to lie upon the Table.

UNIVERSAL POSTAL UNION.

Return presented, relative thereto [ordered 8th November; *Mr. Sydney Buxton*]; to lie upon the Table, and to be printed. [No. 356.]

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Rebuilding of Westminster County Court.

MR. W. F. D. SMITH (Strand, Westminster): To ask the Secretary to the Treasury whether, before coming to a decision to rebuild the Westminster county court upon its present site, the officials of the court and of the city councils were asked for their opinions upon the proposed plans; and whether such opinions were favourable or not.

(*Answered by Mr. Runciman.*) The city council was not consulted; but sketch plans of the proposed building were communicated to the judge and the registrar of the court, who raised objections to certain features of the scheme.

Honours for Naval Officers.

MR. BELLAIRS (Lynn Regis): To ask the Secretary to the Admiralty whether he can state the number of honours, G.C.B., K.C.B., and C.B., respectively, granted to naval officers on the active list, in the present year.

(*Answered by Mr. Edmund Robertson.*) The number of honours granted during the present year to naval officers on the active list is as follows: 2 G.C.B., 2 K.C.B., 2 C.B.

Labourer's Cottage for John Lynch of Singland, Limerick.

MR. JOYCE (Limerick): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the case of a labourer named John Lynch, of Wem Road, Singland, Limerick, who applied for a cottage on the Henry Estate at Singland; whether he is aware that at the inquiry the landlord had two solicitors to oppose the application, while Lynch who was unable to employ a solicitor was unrepresented, and that the claim was refused; and whether, seeing that Dr. Holmes at the inquiry condemned as unfit for human habitation the house in which this man and his family lived, he will say what steps, if any, will be taken to get this man a cottage.

(*Answered by Mr. Bryce.*) The Local Government Board are aware that John Lynch applied for a labourer's cottage in the town of Singland, as stated, but, when examined on oath at the local inquiry, Lynch admitted that he was in the employment of a grocer and had never worked for farmers. The case was therefore withdrawn on behalf of the district council before any objections which the landlord may have had were stated. The medical officer of health appears to have merely condemned the sanitary arrangements in Lynch's house, and it would seem, therefore, that the proper course would be for the council to take the necessary steps under the Public Health Acts to have the house put into proper sanitary condition.

Irish Evicted Tenants—Cases of John Reidy and Daniel McCarthy, of County Kerry.

MR. MURPHY (Kerry, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state what steps the Estates Commissioners have taken to deal with the applications of John Reidy and Daniel McCarthy, two evicted tenants in the county Kerry.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that on 20th March last they communicated with the landlord in connection with the applications of John Reidy and Daniel McCarthy for reinstatement as evicted tenants. The landlord replied that he did not wish to part with the holdings, which he has held for twenty years for his own personal use. The Commissioners will further consider the applications of these evicted tenants in connection with the distribution of any untenanted land which they may acquire.

Sale of the Gore-Booth Estate, County Sligo.

MR. O'DOWD (Sligo, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Gore-Booth estate, situate in the vicinity of Ballymote, county Sligo, was one of the first in Ireland sold to the tenants under the Act of 1903; whether this estate has yet been vested, or its sale sanctioned, by the Estates Commissioners; and, if not, will he explain the cause of the delay.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that the proceedings for the sale of this estate have been stayed, pending a settlement of the question as to the disposal of the untenanted land, consisting of 1,400 acres, on the estate. Until this question has been settled the advances cannot be sanctioned or the holdings vested in the tenants. The matter is still under the consideration of the Commissioners, and they will endeavour to have it disposed of as soon as possible.

Royal Irish Constabulary Force Fund.

MR. O'DOWD: To ask the Chief Secretary to the Lord-Lieutenant of Ireland when the Government intend to wind up the Royal Irish Constabulary Force Fund.

(*Answered by Mr. Bryce.*) The benefit branch of the Royal Irish Constabulary Force Fund is being gradually wound up. Under the Constabulary Act of 1883 the fund was closed to new entrants, and none have since been received. The present liabilities upon the fund are in respect of the surviving subscribers out of those who had entered prior to 1883, and as long as any of these subscribers remain the fund cannot be finally wound up. The subscribers have no interest in the capital of the fund, seeing that when existing liabilities have been discharged any balance that may remain will be surrendered to the Exchequer. For full details of the subject I beg to refer the hon. Member to Parliamentary Paper, No. 118, of Session 1891.

Land Purchased in Mauritius for Military Purposes.

MR. BOLAND (Kerry, S.): To ask the Secretary of State for War if he can state the amount of land purchased from private or public bodies during the last twelve years in Mauritius for military purposes; what was the total cost of such purchases; and were the purchases in each case made direct from the owner, or through a broker, or within a few days after the owner had disposed of the land to a third party, who resold it to the military authorities at a higher rate than he had paid for it.

(*Answered by Mr. Secretary Haldane.*) Within the period mentioned, the War Department has bought 372 acres of land including some buildings at a cost of £19,750. The purchases were made direct from the owners, or their agents holding a power of attorney, and not through a broker. The minimum period between the date of purchase by any of the vendors and the proposal to resell to the War Department is seven months, and in this case there is reason to suppose that the Department acquired the land at a less rate than that paid by the vendors.

Mauritius Garrison—Cost of Colonial Contributions.

MR. BOLAND: To ask the Secretary of State for War whether he can state the number of troops stationed in Mauritius during each of the last twelve years, the expenditure incurred for the maintenance of the garrison, the contributions of the Colony towards that expenditure, and the value of goods imported annually during the same period in Mauritius, free of Customs duty, for the use of the military; and whether he will set these figures out in tabular form.

(*Answered by Mr. Secretary Haldane.*) The following are the figures, so far as I can give them:—

Year.	Number of Troops.	Estimated cost of maintenance of garrison.	Contributions paid by the Colony.
		£	£
1894–5	886	100,890	17,531
1895–6	978	104,248	16,528
1896–7	1,076	127,805	21,235
1897–8	1,214	111,942	20,754
1898–9	2,733	184,574	22,168
1899–00	3,830 *2,638*	203,218	26,480
1900–1	3,576 *2,340*	169,501	26,433
1901–2	3,583 *2,220*	211,754	26,062
1902–3	3,601	238,494	25,554
1903–4	3,602	262,483	26,573
1904–5	3,605	278,841	27,620
1905–6	3,454	241,319 (Estimated)	27,463 (Estimated)

The year taken is the financial year ending on 31st March. The number of troops is the authorised establishment, with which the actual strength would approximately agree, except in the years 1899–1902, in which the average actual strength is given in italics. The cost of maintenance of the garrison does not include capital expenditure upon works and buildings, but includes the variable item of Government stores shipped to the Colony. The contribution shown is the amount actually paid by the Colony in respect of the financial year, irrespective of date of payment. I regret that I am unable to give figures for value of goods imported free.

MR. BOLAND: To ask the Secretary of State for War whether he is aware that the passing of the local Ordinances, 26 of 1895, 33 of 1897, and 6 of 1900, dealing with the contribution of Mauritius towards the maintenance of Imperial troops stationed in the island led to an increase in such contribution, and that, as a consequence, new sources of revenue had to be found; and can he state what was the amount of taxation, direct and indirect, occasioned by the passing of those Ordinances, respectively.

(*Answered by Mr. Secretary Haldane.*) The following are the sums assessed and actually paid by Mauritius as military contributions during the years 1890–98:—

Calendar Year.	Assessed.	Paid.
	£	£
1890	25,000	25,000
1891	25,000	19,729
1892	25,000	9,389
1893	30,000	14,701
1894	30,000	13,805
1895	22,834	14,906
1896	23,695	21,395
1897	20,754	20,754
1898	20,755	20,755

The short payments in the years 1891–95 are due partly to remissions granted by the Imperial Government on account of the epidemic of 1891 and the hurricane of 1892, and partly to the refusal of the Colony to vote the necessary supplies. The Ordinance of 1895 substituted for the former mode of assessment a military contribution of 5 per cent. of revenue, but provided for the deduction from revenue of certain receipts. As the arrangement with the Imperial Government was for 5 per cent. on gross revenue, the Ordinance of 1897 was passed, maintaining deductions, but putting the rate at 5½ per cent. The Ordinance of 1900 dealt with the rebate of Customs duties allowed to His Majesty's troops, as is usual in British Colonies, in respect of canteen supplies, etc., imported. It substituted a fixed sum for a grant per head of the troops, at the urgent desire of the Colony, in view of the increasing strength of the garrison. As that increase brought with it increased Customs on goods imported, the change was doubtless advantageous to the Colony. I have no information as to taxation in Mauritius, but the facts do not appear to bear out the hon. Member's suggestion. Mauritius makes a far smaller military contribution, in proportion to its revenue and to the cost of its garrison, than other Eastern Colonies.

Artillery Practice in the Thames Estuary—Danger to Shipping.

MR. HART-DAVIES (Hackney N): To ask the Secretary of State for War whether his attention has been called to the fact that there are constant reports of danger to yachts and shipping in the Thames channel, owing to artillery practice; and whether, to obviate these dangers and to ensure the efficient training of the coast defence artillery, some regulations can be made to keep the danger zone under the guns of the Thames and Medway defence clear of barges and small craft, say for one hour daily, about the time of high-water, for four months of the year, from May to August.

(*Answered by Mr. Secretary Haldane.*) Yes, Sir, my attention has been drawn to two or three complaints on this head. As it is the navigable channels of the Thames that the guns at Sheerness are intended to protect, it is obvious that they must be fired over. But every precaution against danger to those using the waterway is observed. I may add that the provision of by-laws to facilitate artillery practice being carried on without danger to traffic is now under consideration.

Allowance from Patriotic Fund to Mrs. Anne Kerry.

MR. DUFFY (Galway S): To ask the Secretary of State for War whether he is aware that Anne Kerry (1569), widow of Thomas Kerry, a Crimean soldier killed at Inkerman, has become an inmate of the Loughrea workhouse hospital, and that her allowance of 10s. per week from the Patriotic Fund was stopped; and will he see that the allowance is paid as usual in advance.

(*Answered by Mr. Runciman*) The facts of the case are reported to me as follows:—The son of Mrs. Anne Kerry placed his mother in the workhouse hospital, Loughrea, on the 4th July, immediately after receiving the charitable allowance of the Patriotic Fund at the rate of 10s. a week for the quarter from 1st July to 30th September. On the fact of her admission to the workhouse hospital becoming known to the corporation the son was informed that, in accordance with the rules for the administration of the Patriotic Russian War Fund, which had obtained during the whole fifty-two years of its existence, the allowance his mother had enjoyed could not be continued while she was an inmate of the workhouse hospital, which is maintained out of the rates. Mrs. Kerry was admitted suffering from senile debility. If adequate arrangements for her proper care can be made for her otherwise than in the workhouse infirmary or a charitable institution, I understand that the corporation will be prepared to restore the allowance of 10s. a week for Mrs. Kerry.

Hour of Closing of Gibraltar Post Office.

MR. BELLAIRS: To ask the Under-Secretary of State for the Colonies whether he is aware that the post office at Gibraltar closes at 6 o'clock for money and postal orders; and whether the time can be extended in order to benefit the numerous sailors and others who may not go on shore until after 6 o'clock.

(*Answered by Mr. Churchill.*) The Gibraltar post office closes to the general public for money order and postal order business at 6 p.m., but the time has been extended to 6.30 p.m. for the special purpose of meeting the convenience of the Navy. No application has been made locally for any further extension of the hours, and I understand that arrangements made on board His Majesty's ships afford facilities which render the Fleet to some extent independent of the post office.

Prospects of Civil Service Second Division Clerks.

MR. CLELAND (Glasgow, Bridgeton): To ask the Secretary to the Treasury if he will state in what Government Departments and in what numbers second division clerks are employed; whether the prospects held out to the clerks who join the various offices are substantially equal; and whether any periodic inquiry is made for the purpose of ensuring that the various offices offer somewhat equal prospects to ability and meritorious service.

(*Answered by Mr. Runciman.*) The information asked for can be collected from the annual Estimates, but my hon. friend does not think that the result of collecting it would be worth the labour involved. It would be impossible to find a common measure of the prospects in a multitude of departments differing so widely in numbers and conditions. The Answer to the last Question is in the negative.

Civil Service—Officials not entitled to Pensions.

MR. CLELAND: To ask the Secretary in what Government Departments men whose services do not entitle them to pensions are employed as clerks; and whether he will state the official designation, the office or department in which employed, the number of each class designated, the longest period of temporary service given by any present member of each class, the scale of pay, the number from each class who have been established during the past five years, and the Vote under which payment is made, of all non-pensionable clerks who are paid directly out of the State moneys.

(*Answered by Mr. Runciman.*) The information required in order to reply to the hon. Member's Question would take some time to procure, and my hon. friend does not think that the result of the inquiries which would have to be made would be commensurate with the labour involved.

Assistant Clerks at Somerset House and Customs House.

Mr. CLELAND: To ask the Secretary to the Treasury how many assistant clerks are employed in the Secretary's Office and the Accountant-General's Office at Somerset House, and what is their scale of salary; and, with regard to the Secretary's Office and the Accountant-General's Office at the Customs House, by what class of clerk, and at what salary, is the work performed, which is of similar nature or importance to that done by the aforesaid assistant clerks at Somerset House.

(*Answered by Mr. Runciman.*) The Answer to the first part of the Question is as follows:—

Office.	Number of Assistant Clerks employed.	Scale of Salary.
Secretary's - - - - -	28	£55—5—150
Accountant-General's - - -	10	

Speaking generally, these assistant clerks are engaged upon very various duties of a routine nature (such as registration, tabulation, extracting, &c., &c.), and analogous to, but of a lower quality than, those performed by very junior clerks of the second division. Work of this character in the Customs is not performed in the offices of the Secretary and Accountant - General, where no assistant clerks are employed, but it is centralised in the Statistical Office and performed by assistant clerks. The work in the offices of the Secretary and Accountant General of Customs is such as properly devolves on Customs clerks admitted to the service by examination similar in character to that for the second division.

Foreign Legislation on Options—Issue of Blue-book.

Mr. FIELD (Dublin, St. Patrick): To ask the President of the Board of Trade whether he can state when it is likely that the Blue-book on Foreign legislation in options and futures will be issued, in accordance with the promise given last Session.

(*Answered by Mr. Lloyd-George.*) It is anticipated that the Return to which the hon. Member refers will be published in the course of a few weeks.

Passengers on Irish Mail Trains.

Mr. FIELD: To ask the Postmaster-General if his attention has been called to the statement by Mr. C. H. Dent, General Manager, Great Southern and Western Railway, that the Postmaster-General does not allow passengers to travel with the mails when the service requisitioned is an exclusively Irish one; and on what ground he imposes such restriction which, as Mr. Dent states, does not exist in the case of services which include cross-channel mails.

(*Answered by Mr. Sydney Buxton.*) I have seen a copy of the statement referred to; and, as I promised the hon. Member a few days ago, I am in communication with the railway company with the view of making an arrangement under which passengers may be allowed to use the mail trains in question.

Licensed Victuallers and Income Tax Rebate.

Mr. HART-DAVIES: To ask Mr. Chancellor of the Exchequer if his attention has been directed to a matter which affects licensed victuallers, who, being obliged by law to reside on their trade premises, can never be allowed more than two-thirds deduction of the value of those premises for the purposes of Income Tax, whereas other traders, not being obliged to reside on their trade premises, can have the whole value of them deducted from Income Tax, and reside elsewhere in less highly rated dwellings; and whether he will consider this inequality of treatment a fit subject for redress.

(*Answered by Mr. Asquith.*) The obligation to reside on licensed premises does not apply to licensed victuallers as a class, but only to beer-house keepers who are not also keepers of restaurants or eating-houses (Licensing Act, 1902, Section 22). Such premises are not as a rule very highly rated, and I do not think that the law in question, which is contained in Section 101 of the Income Tax Act of 1842, can be said to bear more hardly on the beer-house keepers than it may do on many other traders.

Boycotting at Roxborough.

MR. BARRIE (Londonderry, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to a placard published last week in Roscommon and district, calling upon the Nationalists of Kilbride to support the claims of the several evicted tenants of Roxborough lands, and to secure that no grazier should lay claim to the lands from which their fathers and their predecessors had been ruthlessly evicted; whether he is aware that as a result of the publication of this placard, a gathering assembled, and that the district inspector of constabulary refused to allow the meeting to be held in the vicinity of the Roxborough lands, and that the meeting was subsequently held at Clownan Bridge; and will he say what action he intends to take to prevent the intended boycotting.

(*Answered by Mr. Bryce*) I am informed by the police authorities that the facts are substantially as stated in the Question No intimidatory language was used at the meeting referred to, and no boycotting has taken place in connection with the matter. The police will perform their duty of maintaining the peace.

Lists of Evicted Tenants.

MR. DELANY (Queen's County, Ossory): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners will supply hon. Members interested with printed lists of evicted tenants, giving names and addresses as furnished to their inspectors.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they do not consider that any useful purpose would be served by the adoption of the hon. Member's suggestion.

Sale of the Sligo Estate, County Mayo.

DR. AMBROSE (Mayo, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any negotiations have taken place recently between Lord Sligo and the Estates Commissioners or the Congested Districts Board with a view to the sale of the Sligo estate in county Mayo; and if there is any prospect of the estate being sold in the near future.

(*Answered by Mr. Bryce.*) I am informed that shortly after the passing of the Land Act of 1903, the Congested Districts Board entered into negotiations with the Marquess of Sligo for the purchase of his property, but the Board's offer was refused. The negotiations have not since been reopened. The Estates Commissioners inform me that they have been in correspondence with Lord Sligo with a view to the purchase of untenanted land, but so far without any definite result.

Irish Poor Law Commission—Government Action.

MR. HUGH LAW (Donegal, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is in a position to state whether the Government propose shortly to take action in accordance with the recommendations of the Viceregal Commission on the Irish Poor Law.

(*Answered by Mr. Bryce.*) I do not anticipate that I shall be in a position to make a statement upon this subject for some time to come. The Report will require very full consideration, and the appendix and minutes of evidence have not yet been submitted by the Commissioners.

QUESTIONS IN THE HOUSE.

Dockyard and Ships' Repairs.

MR. FELL (Great Yarmouth): I beg to ask the Secretary to the Admiralty if his attention has been called to the amount of repairs and refitting required by the Fleet at Devonport; and whether, under the circumstances, he will stop any further discharges of men from the dockyard there.

*THE CIVIL LORD OF THE ADMIRALTY (Mr. LAMBERT, Devon, S. Molton): The Admiralty is fully alive to the amount of repairs required by the Fleet at Devonport and other dockyards. There are no arrears. No reduction in the total number of men employed at Devonport is contemplated.

The Disturbances at Portsmouth.

MR. DALZIEL (Kirkcaldy): I beg to ask the Secretary to the Admiralty whether with reference to an order given by an officer on the Marine Parade at Portsmouth on the 24th November, 1905, to a stoker to "Get down on your knees, you dog," he has made inquiry of the commander on the occasion, and also of the officer of the watch; and, if so, can he now state the name of the officer by whom the order was given.

*MR. LAMBERT: I am unable to add anything at present to the full statement made by my right hon. friend the Secretary to the Admiralty on Wednesday last.†

MR. DALZIEL: I shall repeat the Question.

Woolwich Arsenal.

MR. WEDGWOOD (Newcastle-under-Lyme): I beg to ask the Secretary of State for War whether, with a view to giving stability to the employment of labour and machinery at Woolwich Arsenal, he will consider the advisability of consulting with the Postmaster-General as to the manufacture of bicycles and motor cars at the Arsenal for the use of His Majesty's post offices.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): The question of manufacturing bicycles for the Army at the Royal Arsenal has been considered, but it was decided that, in view of the great trade competition and the ease of purchase of these articles, it would be contrary to the principles which guide this Department to start such an industry in the Ordnance Factories. The arguments against the manufacture of bicycles at the Royal Arsenal apply with a greater extent to motor cars, as it is more difficult to adopt a standard pattern, and I regret, therefore, that I do not see my way to fall in with my hon. friend's suggestion for increasing the amount of employment in these factories.

MR. WEDGWOOD: Is it not the case that sixteen years ago Messrs. Palmer, of Jarrow, in a time of bad trade, started making bicycles to keep their hands at work, and also that Armstrongs' started making motor-cars for the same reason?

SIR HOWARD VINCENT (Sheffield, Central): Yes, and how much money did they lose by doing that?

MR. HALDANE: I know that a great many firms who have started making bicycles and motors have gone bankrupt in consequence, and I do not feel myself peculiarly qualified to start a business of the kind.

South African War Stores Inquiry.

SIR HOWARD VINCENT: I beg to ask the Secretary of State for War if his attention has been called to the fact that the chairman of the Royal Commission on South African Stores, in opening the proceedings and repeatedly in the subsequent sittings, declared that it was not a prosecution with parties litigating against one another, but an inquiry; that the persons who have been punished, by dismissal and otherwise, had no opportunity of being represented by counsel or of cross-examining the witnesses; that the Commission in South Africa was in the nature of a secret inquisition, unfettered by the rules of evidence, held in the absence of the persons accused, and before which they were denied representation; and what precedent there is for meting out severe punishment to public servants of long standing without their being brought to trial before their countrymen and being heard in their defence.

MR. HALDANE: In general terms, the duty of the Royal Commission was to inquire into all the circumstances connected with contracts, etc., in South Africa, but the terms of reference further directed the Commission "to report on the responsibility of the persons concerned, whether in this country or in South Africa." To assist them in the discharge of this duty, the Commissioners despatched a Special Commissioner to take evidence in South Africa. Mr.

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† See (4) *Debates*, clxiv., 1483–4.

Roope Reeve, who undertook this duty, followed exactly the same procedure in taking evidence as that of the Royal Commission, that is to say, the examination of witnesses was made in open court by the Special Commissioner himself, no person being allowed to be represented by counsel. By the middle of April the Royal Commissioners were in possession of the minutes of evidence taken by their Special Commissioner in South Africa, and it was not until the 4th May that the first military witness was examined before the Commission. This examination was, to a considerable extent, based on the evidence taken by Mr. Roope Reeve in South Africa. As regards the punishment inflicted on officers and non-commissioned officers, I can only refer the hon. and gallant Member to my answer to a somewhat similar question on the 25th October,† when I fully explained the steps taken by the Army Council to investigate each case, but I may add, having regard to the last portion of the hon. and gallant Member's question, that officers and non-commissioned officers of the Army are, in the same manner as other servants of public and private employers, liable to be dismissed, or to be called on to relinquish their appointments, when they show themselves unfitted for the position they occupy.

SIR HOWARD VINCENT: I beg to ask the Secretary of State for War, under what statutory authority he caused certain non-commissioned officers, who were witnessess before the Royal Commission on South African Stores, to be reduced to the ranks and dismissed the service without trial by court martial, and without their being afforded any opportunity of hearing the evidence against them, or of cross-examining the deponents, having regard, moreover, to Section 161 of the Army Act precluding any man being tried or punished for any offence triable by court martial committed more than three years before the date at which his trial begins, except in the case of mutiny, desertion, or fraudulent enlistment, and to Section 183, providing that reduction to the ranks must be by sentence of a court martial.

MR. HALDANE: Under Section 183 of the Army Act, a non-commissioned officer can be reduced to the ranks either by the Commander-in-Chief or by the sentence of a court martial. I explained to the hon. and gallant Member on the 25th ult. that the offences of these non-commissioned officers were not cognizable by court martial. The abolition of the office of Commander-in-Chief does not, however, confine this punishment of reduction to a court martial. The section is one which enables a Commander-in-Chief to reduce a non-commissioned officer to the ranks without reference to the Crown, and is not one which limits the inherent power of the Crown to deal with its own servants. The non-commissioned officers referred to were, therefore, reduced to the ranks by the exercise of the Royal Prerogative. The statutory authority for dismissing them from the service is contained in Sec. 92 (1) and 101 (1) of the Army Act.

Crown Agents.

MR. WALKER (Leicestershire, Melton): I beg to ask the Under-Secretary of State for the Colonies with reference to the statement in Command Paper No. 1944 that the Crown Agents are directly responsible to the Colonial Governments, for which they are the commercial and financial agents in the United Kingdom, by what means these Colonial Governments can in practice exercise any effectual control over the actions of the Crown Agents.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): The hon. Member will see on reference to paragraph 2 of the Memorandum enclosed in the circular despatch of 26th February, 1904, which is printed in the Parliamentary Paper he quotes, that the Secretary of State exercises a general control and supervision over the conduct of the business of the Crown Agents. This being so, he is, of course, bound to consider any complaints which the Governors of Colonies may make as to the actions of the Crown Agents.

In reply to a further Question the hon. Gentleman said if the hon. Member would bring under his notice any specific cases of complaint they would be carefully investigated.

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† See (4) *Debates*, clxiii., 403–406.

Crown Agents and the Uganda Railways.

MR. WALKER: I beg to ask the Under-Secretary of State for the Colonies whether the business connected with the proposed construction of a railway or railways in Northern Nigeria will be entrusted to the Crown Agents; and, if so, whether the estimate given by the Foreign Office in 1896 of the cost of construction of the Uganda Railway, which estimate was actually exceeded by £2,300,000, was based upon calculations made by the Crown Agents.

MR. CHURCHILL: No statement as to the agency by which railways in Northern Nigeria will be constructed can be made until it has been decided whether any such railways are to be constructed and if so what railways. The Crown Agents do not construct railways or make estimates of the cost of construction, and the estimate of the cost of the Uganda Railway was not based upon calculations made by them.

Alleged Neglect by Crown Agents.

MR. WALKER: I beg to ask the Under-Secretary of State for the Colonies with reference to the recent statement of Sir Augustus Hemming that, when he was Governor of Jamaica, the evidence of neglect and error in the case of a transaction carried out by the Crown Agents was so strong that they were ordered to repay to the Colony between four and five hundred pounds; what was the nature of the transaction; in what did the neglect and error consist; and from what fund was the repayment made.

MR. CHURCHILL: The neglect of which the Colonial Government complained in connection with this transaction was that the Crown Agents had failed to call their attention to the fact that the accepted tender for certain rolling stock exceeded an estimate of the consulting engineers which they thought applied to this stock. The right hon. Member for West Birmingham, at that time Secretary of State for the Colonies, while not acquitting the Colonial Government of blame in the matter, considered that the Crown Agents might properly be required to pay the excess from their office funds.

West African Concessions.

MR. SMEATON (Stirlingshire): I beg to ask the Under-Secretary of State for the Colonies by what authority the concessions, aggregating 4,000 square miles, in the Sierra Leone Protectorate were granted to the five Thompson brothers in 1901; whether these concessions have been sold to the West African Produce Company, of which Sir Frederick Cardew is director and chairman; whether, seeing that Sir Frederick Cardew was Governor of the Sierra Leone Protectorate till 1900, he will say whether negotiations for the concessions were proceeding during Sir Frederick Cardew's governorship, and what part Sir Frederick Cardew took in these negotiations; whether he is aware that in 1902 a law was passed in the Protectorate prohibiting any person from holding concessions in respect of forest produce in excess of forty square miles; what are the powers possessed by the company in regard to trading in india-rubber throughout the 4,000 square miles of territory; whether the claim made in the company's prospectus that every chief and headman will be dealt with in such a way that he will be individually responsible to the company, is a claim which the British Government, as protector of native tribes, sanctions; and what steps the Government propose to take in the matter.

MR. CHURCHILL: The concessions were granted by native chiefs, upon their own authority. It appears from the prospectus of the West African Produce Company that the concessions have been acquired by that company. Lord Elgin does not know whether the negotiations were proceeding during Sir Frederick Cardew's governorship; they were not matters in which the Governor would take any part or in which his intervention would be called for. The Secretary of State is acquainted with the law referred to. He has not seen the concession, but subject to the provisions of that law the company will presumably have unrestricted powers of trading in india-rubber. The sanction of the British Government is not required in the Sierra Leone Protectorate to contracts of trade entered into by chiefs or headmen, who may reasonably be regarded as liable to be held responsible for fulfilling their legal engagements. The Governor will be instructed to watch the operations (if any) of the company with a view to preventing any illegalities or abuses.

Mr. SMEATON asked whether the Government should not have interfered, seeing that the underlings of companies of this kind were certain to be believed by the ignorant natives to be acting with Government authority.

Mr. CHURCHILL: I do not think we need be under any apprehension that the British officers engaged in the administration of our territories in West Africa would be disposed to acquiesce in the practices which we are led to believe have prevailed on the Congo.

Mr. SMEATON: I was speaking of native underlings.

Mr. CHURCHILL: The officers we employ in those parts of the world are responsible for all the actions of their underlings.

Mr. DALZIEL: Having regard to the fact that the person principally concerned, now chairman and managing director of the company, was formerly governor of the Protectorate, and to the case a short time ago in which Sir West Ridgeway was concerned, will the advisability be considered of issuing a circular to all governors advising them not to identify themselves after they have ceased to be governors with commercial undertakings in the country where they were employed?

Mr. CHURCHILL: I know my noble friend the Secretary of State very largely shares the views which have been expressed, and we are now considering whether any steps can reasonably be taken to bring that point of view strongly to the notice of those concerned.

Mr. BYLES (Salford, N.): Can we have an assurance that precautions will be taken by the Colonial Office to prevent the concessions degenerating into veiled slavery, such as has grown up in the Congo?

Mr. SMEATON: Will the Colonial Office examine the concessions?

*Mr. SPEAKER: Notice must be given.

Colonial Conference.

Mr. MITCHELL-THOMSON (Lanarkshire, N.W.): I beg to ask the Under-Secretary of State for the Colonies whether an invitation will be extended to the Government of the Transvaal to send a representative to the forthcoming Colonial Conference.

Mr. CHURCHILL: It will scarcely be possible to invite a representative of the Transvaal, as the establishment of responsible government will not be completed by the date of the Conference.

Gambling in the Malay States.

Mr. VERNEY (Buckinghamshire, N.): I beg to ask the Under-Secretary of State for the Colonies whether he will lay upon the Table of the House a Return showing the growth or diminution during recent years of the profits derived from gambling houses carried on under Government licences in the Federated Malay States; and whether it is the intention of the Government, and, if so, in what way, to abolish altogether licensed gambling houses in the Federated Malay States.

Mr. CLAUDE HAY (Shoreditch, Hoxton): May I also ask the Under-Secretary of State for the Colonies what is the amount of revenue the Government of the Federated Malay States derive from gambling-houses; the number of gambling-houses from which revenue is derived; and what steps the Government propose to take to do away with a state of things under which the Government derives revenue from gambling-houses.

Mr. CHURCHILL: As to the revenue derived from licensed gambling, the answer given on November 5th to the hon. Member for Renfrewshire (East) contains all the information available† It is not possible to state the exact amount, as the gambling farms have hitherto been leased in conjunction with other farms, but the average annual revenue from this source is estimated at about 3,000,000 dollars. I am unable to state the number of licensed gaming houses in existence. As regards the question of the abolition of licensed gambling I can add nothing to the answers given recently to the hon. Members for Orkney and Shetland, Sunderland and Leeds (East). The Secretary of State is fully alive to the objections to the system, but he is satisfied that immediate abolition is impracticable. Steps are now being taken to abolish the system gradually.

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† See (4) *Debates*, clxiv., 114.

Opium and the Transvaal.

MR. CLAUDE HAY: I beg to ask the Under-Secretary of State for the Colonies upon what date the Transvaal Ordinance of 6th October, 1905, prohibiting the possession of opium except for medicinal purposes, was repealed.

MR. CHURCHILL: The Ordinance of 1905 was repealed by Ordinance No. 25 of 1906, to which the Governor assented on 18th August, 1906, and which was published in the *Transvaal Gazette* of 24th August.

SIR GILBERT PARKER (Gravesend): Can the hon. Gentleman say if the two pounds of opium allowed for every Chinaman represents the quantity for sale as well as use ?

MR. CHURCHILL asked for notice.

The Swaziland Corporation.

SIR J. JARDINE (Roxburghshire): I beg to ask the Under-Secretary of State for the Colonies whether, as stated by the chairman of the Swaziland Corporation, Limited, at the annual meeting on the 29th October last, the corporation has been conceded the ownership and possession of considerably over one million acres, and also of mineral rights of enormous value over an area of 450 square miles; and, if so, whether he can state when and by whom these concessions were made and for what consideration and if they are in perpetuity; and whether these lands were inhabited, and if now any spaces have been left for the natives to dwell in.

MR. CHURCHILL: The concessions under which these rights are claimed were granted by Umbandine, formerly King of the Swazis. The consideration for which they were made was, I understand, for the Unallotted Lands Concession, under which the corporation claim an enormous amount of land, £50 a year rent. For the Horo Concession, 22,833 shares of the nominal value of £1 appear to have been paid and the rental was £40 per annum. I cannot give fuller details within the limits of an oral Answer. The hon. Member will observe that the chairman at the meeting stated that the land rights are not in perpetuity, nor the mineral rights, excepting the Horo Concession, which, he says, represents the main part of their mineral rights. The concessions confirmed by the Concessions Court of 1890 are recognised, subject to the provisions of the Proclamation of 1st October, 1904, but I am not prepared to commit myself to figures as to the exact extent of these rights. The Secretary of State is informed by Lord Selborne that the general survey of concessions must be completed before the corporation is in a position to prove its claim to land. The lands are occupied by natives to a greater or less extent, and the grants from the king commonly reserved native rights. The continued use and occupation by the natives of land used in their possession are reserved by Section 20 of Lord Milner's Proclamation of 1st October, 1904. The manner in which the natives may most satisfactorily be protected and permanently safeguarded in their rights by setting apart portions of the land for their sole and exclusive use and occupation is under consideration.

MR. J. WARD (Stoke-on-Trent): What is the date of this concession ?

MR. CHURCHILL: Considerably anterior to 1894.

MR. MARKHAM (Nottinghamshire, Mansfield): Did not Umbandine grant concessions of a similar character in 1899 to speculators who sold them to the late President Kruger for £50,000 ?

*MR. SPEAKER: Notice must be given of that.

MR. LUPTON (Lincolnshire, Sleaford): Will the Government consider the desirability of making it illegal for chiefs to deal with land belonging to the tribes ?

[No Answer was returned.]

SIR J. JARDINE: I beg to ask the Under-Secretary of State for the Colonies if the Colonial Office is aware of the statements made on 29th October last, at the annual meeting of shareholders of the Swaziland Corporation, Limited, to the effect that the corporation owns the monopolies of publishing newspapers, establishing pounds and other things, and has the sole right of banking; and whether he can state the origin of these monopolies; and what is included in the phrase "other things"; and if the Government is negotiating to buy back these monopolies; and, if so, at what price.

MR. CHURCHILL: I have seen the statement referred to by the hon. Member. These monopolies were granted by Umbandine, formerly King of the Swazis. Besides the monopolies mentioned, the Swaziland Corporation is interested in a gas concession, a concession for treatment of tailings, concessions for the importation and the manufacture of liquor, a diamond drill concession, an importation of tobacco concession, a concession for the manufacture of iron. Under Section 12 of the Proclamation of 1st October, 1904, monopoly concessions are the subjects of expropriation at an amount not exceeding their value prior to the commencement of the war. A settlement has been proposed for consideration, under which the monopolies would be surrendered on terms which are awaiting discussion.

MR. MARKHAM: Have the Government possession of the documents in this case?

MR. CHURCHILL: I will inquire.

Punishment of Chinese Coolies.

SIR J. JARDINE: I beg to ask the Under-Secretary of State for the Colonies whether the oral licence given by Lord Milner to Mr. Evans, superintendent of mines, sanctioning the corporal punishment of Chinese coolies in the gold mines of the Transvaal, had any connection with the prevalence of unnatural crimes.

MR. CHURCHILL: I have no more reason than the hon. Member to suppose that there was any such connection.

The New Hebrides.

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Under-Secretary of State for the Colonies if members of the New Zealand and Tasmanian bar will be eligible for appointments in the New Hebrides as well as Australians.

MR. CHURCHILL: Yes, Sir.

Mr. Bucknill's Report.

MR. MARKHAM: I beg to ask the Under-Secretary of State for the Colonies if he will say what conditions were imposed upon the hon. Member for South Berkshire by the Colonial Office in allowing him to see Mr. Bucknill's Report, and also the conditions laid down by the Colonial Secretary's private secretary as to communicating its contents or any part thereof to other Members of the House or any other person.

MR. CHURCHILL: The hon. Member for the Newbury division of Berkshire was allowed to peruse the Report and evidence in a room at the Colonial Office and to copy extracts. The Colonial Secretary's private secretary informed him in reply to his questions that he must not make use of these extracts for the purpose of any communication to the Press, but that he might show them confidentially to his friends in the House of Commons. The private secretary made these replies without referring to the Secretary of State. While upon this subject, perhaps I may be permitted to say on behalf of my noble friend Lord Elgin, and on my own account, that we much regret that no copy of Mr. Bucknill's Report and evidence could be furnished to the right hon. Member for St. George's, Hanover Square, before the debate on the adjournment. Such a course would, however, have been physically impossible. The Motion for the adjournment arose unexpectedly without the knowledge or desire of the Government. Only one typewritten copy of Mr. Bucknill's Report and evidence exists in this country so far as I am aware. Certainly only one copy is or has ever been in the possession of the Colonial Office; and that copy was continuously in the hands of the Prime Minister, the Secretary of State and other Ministers, who were bound very fully and carefully to examine and re-examine its contents in the short period which intervened between the first notice of the adjournment and the debates in both Houses. The suggestion which I have observed advanced in certain quarters that His Majesty's Government deliberately and malevolently took steps to circulate the contents of this Report and evidence among their political supporters with a view to putting the right hon. Member for St. George's, Hanover Square, at a disadvantage, is worthy of a distinguished place in the categories of current political slander.

SIR A. ACLAND-HOOD (Somersetshire, Wellington): Was the Report marked, as most confidential documents are, "This document is the property of His Britannic Majesty's Government"; and, if so, how did it come about that extracts were published in *Reynold's Newspaper*?

MR. CHURCHILL: I do not think the Report had those words marked on it, because the Report came to us from the Transvaal Government, but it was clearly and plainly marked "strictly confidential."

SIR A. ACLAND-HOOD: How were the contents of that document communicated?

MR. CHURCHILL: I have no more knowledge of it than the right hon. Gentleman has.

MR. MYER (Lambeth, N.): Is the Under-Secretary for the Colonies aware that the Report has been published in the South African newspapers?

SIR H. VINCENT: Is there any truth in the allegation in *Reynold's Newspaper* that they had been favoured with a copy of the Report and evidence?

MR. CHURCHILL: There is not the slightest truth in it, as far as I am aware; I am perfectly certain the Report in the Colonial Office has not left that office at all.

MR. BONAR LAW (Camberwell, Dulwich): Does not the hon. Gentleman think it would have been more fitting to give the Report to the Member who was chiefly attacked than to have allowed it to be used in the way it was used?

MR. SWIFT MACNEILL (Donegal, S.): Did the late Colonial Secretary ever ask for a copy of the Report, or ask to see it, or show any anxiety about it?

MR. CHURCHILL: No such request was made to us. I have endeavoured to explain already that when the Motion for the adjournment arose, as such Motions always arise, unexpectedly, the Report, which had been examined already, had to be more thoroughly and carefully examined by the representatives of the Government who have the responsibility of making statements on this subject.

SIR HOWARD VINCENT: How many copies of the Report were printed? Were they numbered, and did they all return to the Colonial Office?

MR. CHURCHILL: There is only one copy of this Report in existence in this country as far as I know, and it has never left the Colonial Office except to go to the Cabinet.

SIR W. EVANS GORDON (Tower Hamlets, Stepney): Is it not a universally accepted principle in every Government office that all letters and correspondence coming into that office are confidential until permission to publish them is given?

MR. CHURCHILL: Certainly that is so, but it is obviously within the power of the Secretary of State to consult any person he may wish, or to give any person access to any document he may wish.

SIR W. EVANS GORDON: In view of the fact that access to these confidential documents was given to one Member of this House, do the Government propose to give similar permission to other persons desiring to see the document?

MR. MARKHAM: Is the Under-Secretary aware that portions of this Report have been published in the South African Press? How is it these extracts were published in South Africa?

MR. CHURCHILL: I have no knowledge what leakage may have taken place in South Africa. I am certain no leakage here has taken place with the sanction of the Secretary of State.

Several other Members rising to interrogate the Under-Secretary on the subject, *MR. SPEAKER said any further information required should be asked for by Questions of which notice is given.

Land Settlement in South Africa.

MR. LONSDALE (Armagh, Mid): I beg to ask the Under-Secretary of State for the Colonies whether the opinions of Boer leaders have been sought and obtained in reference to the proposal to set up an Imperial Land Board in the Transvaal and Orange River Colony; and whether such opinions are favourable or otherwise to the scheme.

The following Questions were also on the Paper:—

MR. LONSDALE: To ask the Under-Secretary of State for the Colonies when he expects to be in a position to announce the steps to be taken by the Government to safeguard the interests of British farmers and others who have taken up land under the Land Settlement Ordinances in the Transvaal and Orange River Colonies.

MR. LONSDALE: To ask the Under-Secretary of State for the Colonies whether the attention of the Secretary of State has been called to the fact that the Dominion Government, in setting up the new provinces of Saskatchewan and Alberta, retained in its own hands the control of Government lands and of immigration; and whether it is the intention of His Majesty's Government to apply this principle to the question of land settlement in the Transvaal and Orange River Colony.

MR. CHURCHILL: No statement of the policy of His Majesty's Government in regard to the question of land settlement or to the position of the land settlers can be made without detriment to public interests separately from or in anticipation of the publication of the Letters Patent of the Transvaal Constitution and the similar announcement in regard to the Orange River Colony. The Government have already undertaken that on both of these subjects Parliament will be fully and precisely informed before the prorogation.

SIR GILBERT PARKER: Is not this the one question on which no statement has been made to the House by the Government, so that we do not know what their position is?

*MR. SPEAKER: The hon. Member is making a debating speech.

Corporal Punishment for Coolies.

SIR J. JARDINE: I beg to ask the Under Secretary of State for the Colonies whether as yet any persons have been brought to justice for assault or battery of Chinese coolies in the Transvaal gold mines consequent on the licence given by Lord Milner by word of mouth to Mr. Evans, Superintendent of Mines, sanctioning corporal punishment of Chinese coolies, where no provision was made by law or ordinance.

MR. CHURCHILL: I believe not. Lord Selborne has explained, in reply to an inquiry on the subject made in April, that the difficulty has been that the coolies will not give the necessary evidence.

SIR J. JARDINE: Have there not been thousands of cases?

MR. CHURCHILL: Full information has been laid before Parliament.

MR. MARKHAM: Was not a mine superintendent (Mr. Jameson) fined and mulcted in damages?

*MR. SPEAKER: The hon. Member is giving information.

Civil Marriages in Malta.

SIR J. JARDINE: I beg to ask the Under-Secretary of State for the Colonies whether the law in force in Malta allows civil marriage, or whether in any class of cases a religious ceremony is essential to validity.

MR. CHURCHILL: There is no law in Malta providing for civil marriage, and a religious ceremony would, therefore, appear to be required in all cases.

Macedonia.

MR. LYNCH (Yorkshire, W.R., Ripon): I beg to ask the Secretary of State for Foreign Affairs whether His Majesty's Government have stipulated that further reforms in Macedonia shall be satisfactorily begun before their consent shall be given to an increase of the Custom duties in Turkey.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. RUNCIMAN, Dewsbury, for Sir Edward Grey): My right hon. friend cannot add to the statements which have already been made. As soon as the negotiations are finished complete Papers will be laid.

MR. DILLON (Mayo, E.): Is not Macedonia in a worse condition than it was four years ago?

MR. RUNCIMAN asked for notice.

MR. BOWLES (Lambeth, Norwood): I beg to ask the Secretary of State for Foreign Affairs whether, in the event of increased duties being levied on British goods imported into Turkey, and their proceeds being devoted to the Macedonian Budget, the European Financial Commission in Macedonia would have any power to control the proportions to be borne on that Budget by the civil and military respectively, or to determine what sums should be allocated in any year to the civil administration.

MR. RUNCIMAN: The point to which the hon. Member refers is one of importance, and has not been overlooked; but it would not be desirable to make any definite statement while negotiations are still in progress.

Estate Duty in Scotland.

MR. SEARS (Cheltenham): I beg to ask Mr. Chancellor of the Exchequer if he is aware that the legal fees in Scotland in respect of estate duty, when the estate does not exceed the value of £500, are received by Inland Revenue officers, and paid to commissary clerks for their own use, although they may have had nothing to do with passing the accounts; and will he give the legal or other authority under which this is done.

THE CHANCELLOR OF THE EXCHEQUER (Mr. ASQUITH, Fifeshire, E.): The procedure followed in Scotland with regard to estate duty on estates not exceeding £500 in value is that prescribed by the Acts 39 and 40 Vict., Cap. 24, Section 3, as amended by 57 and 58 Vict., Cap. 30, Section 16, sub-section (1), and 63 and 64 Vict., Cap. 55, Section 9. The last-mentioned section defines the functions which may be discharged by officers of the Inland Revenue. Commissary clerks are remunerated by salary, and all fees received by them in their official capacity are accounted for and paid over to the Exchequer.

Bank Reserves.

SIR F. DIXON-HARTLAND (Middlesex, Uxbridge): I beg to ask Mr. Chancellor of the Exchequer whether, having regard to the fact that the State carries on that portion of a banking business which consists of borrowing money repayable on demand through the medium of the Post Office Savings Bank, and is responsible for 200 millions of deposits on account of which practically no reserve is kept, he will consider the advisability of arranging that the State, as a portion of the banking community, shall provide proper reserves for their liabilities.

MR. ASQUITH: The National Debt Commissioners keep such cash reserves as experience shows to be necessary for the requirements of the Savings Bank Funds. The conditions of the Savings Bank business are so different from those of commercial banking that I am unable to admit any analogy between the two cases in regard to the question of reserves.

Post Office Savings Bank.

SIR F. DIXON-HARTLAND: I beg to ask Mr. Chancellor of the Exchequer if he will state whether the assets of the Post Office Savings Bank are equal in market value to the liabilities, and if there be a deficiency will he state the approximate amount; whether such deficiency is included in the figures of the National Debt; and, if not, will he explain how far the correctness of the figures showing the total of the National Debt is affected thereby.

MR. ASQUITH: Until two years ago it was the practice to make an annual valuation of the assets of the Savings Bank's Funds on the basis of the current market price of securities. When the assets, according to this valuation, were less than the liabilities, the amount of the deficiency was included among the contingent or indirect liabilities of the State, shown in the annual Return of the National Debt. The Savings Bank Act, 1904 (4 Edw. VII., Cap. 8, Section 9) directed the discontinuance of that method of valuation, and accordingly any deficiency which it might indicate is no longer shown in the published statement of the National Debt. I may remind the hon. Member that this change of law was made on the recommendation of the Select Committee on the Savings Bank Funds, of which he was a member. The Committee were of opinion that, in the circumstances of the Savings Bank Funds, a valuation of assets, according to market price, is incorrect and misleading. It would defeat the purpose of the change if I were now to compute and publish a valuation on the discarded basis.

Government Debt to the Bank of England.

SIR F. DIXON HARTLAND: I beg to ask Mr. Chancellor of the Exchequer if he will state the exact amount paid by the Government to the Bank of England for the last financial year in respect to the debt of eleven millions owing to the issue department of the bank and also in respect to other charges; and if he will further state what allowance was made by the Bank of England to the Government in respect to the note circulation or otherwise.

MR. ASQUITH: The amount paid to the Bank of England as interest at 2½ per cent. on the Government Debt of £11,015,000 was £275,377 10s. I should perhaps explain that the sum of £11,015,000 is a debt owing by Government to the Governor and Company of the Bank of England, not to the issue department. The remuneration paid to the bank for its services amounted to £213,988 13s. 2d., which was made up of £189,654 8s. paid from the Exchequer for management of the Funded and Unfunded Debt, and £24,334 5s. 2d. defrayed from other funds in respect of local loans stock, guaranteed 2¾ per cent. stock, and the dividends on unclaimed stock. The payments received by Government from the bank amounted to £247,018 3s., which included £186,593 paid to the Exchequer in respect of the profits of note issue, and £60,000 paid to the Commissioners of Inland Revenue in lieu of stamp duty on the note issue. These figures, of course, take no account of the gain which the Bank derives from having the custody of the Government balances.

Rand Gold.

MR. FELL: I beg to ask Mr. Chancellor of the Exchequer if his attention has been called to the fact that the latest returns from Johannesburg show that 40 per cent. of present output of gold from the Rand, or about 10 per cent. of the whole production of gold in the world, is now produced by Chinese labour; and whether, in the interests of the Bank of England and of the trading classes, he can take any steps to prevent this source of gold supply being interfered with from any quarter.

MR. ASQUITH: Questions relating to labour statistics in the Transvaal would, I think, be more appropriately addressed to my hon. friend the Under-Secretary of State for the Colonies. I have no reason to anticipate any action on the part of the Government or anyone else which is likely to lead to a serious diminution in the present rate of gold production.

Travelling Expenses of Members of Parliament.

MR. GULLAND (Dumfries Burghs): I beg to ask Mr. Chancellor of the Exchequer whether, seeing that many Members reside or carry on business at a great distance from London, and are thereby caused serious expense in the performance of their Parliamentary duties, he will make arrangements, by payment from the Exchequer or otherwise, to enable Members to travel free between their residences and London and between their constituencies and London.

MR. ASQUITH: In the present state of the public finances I am not prepared to take action in the direction suggested by my hon. friend.

Copper Coinage.

SIR FREDERICK BANBURY (City of London): I beg to ask Mr. Chancellor of the Exchequer whether he is aware that the banks have great difficulties in obtaining a sufficient supply of copper coins from the Mint; and whether he will take steps to ensure a larger supply in the future.

MR. ASQUITH: The stock of bronze coin held on the 1st August last was twice as large as that so held in 1904, and three times the amount of that held in 1905, but it has proved insufficient to meet the abnormally large demands which began early in October. Steps were taken some weeks ago to increase the output of the Mint by placing orders for 120 tons of bronze blanks with outside firms. Delivery of these has been going on continuously, and the press room in the operative department is working overtime to accelerate issue to the public. It is hoped that within a fortnight the unsatisfied demands in London will have been met.

Cost of Old-age Pension.

MR. LIDDELL (Down, W.): I beg to ask Mr. Chancellor of the Exchequer whether he can state what would be the annual cost to the Treasury of a grant of old-age pensions of 5s a week to every person in the United Kingdom over the ages of sixty-five and seventy respectively; what is the total annual cost to the State from rates and taxes of the maintenance of paupers, both indoor and outdoor, over these ages in the United Kingdom; what would be the net annual cost of these old-age pensions to the State resulting from the practical abolition of indoor and outdoor relief by the grant of old-age pensions; and whether the Government will undertake to give old-age pensions to the inhabitants of the United Kingdom before applying State funds to the payment of salaries of Members of Parliament.

MR. ASQUITH: The number of persons enumerated in the 1901 Census over sixty-five and seventy was 2,018,716 and 1,205,069 respectively. To provide old-age pensions of 5s. a week would therefore require over £26,225,000 in the first case and over £15,500,000 in the second. To obtain precise or approximately precise information as to the general cost of poor law relief in respect of persons over sixty-five and seventy would require a special investigation by the Local Government Boards of the three kingdoms. I would, however, refer the hon. Member to the Report of the Departmental Committee on the financial aspects of the proposals made by the Select Committee on the Aged Deserving Poor (Cd. 67, 1900), where he will find conjectural estimates bearing on the subject of his Question. I am unable at the moment to give any undertaking as to how, or in what relative order as compared with other matters, the question of old-age pensions will be dealt with.

MR. T. L. CORBETT (Down, N.): Do not the Government intend to introduce legislation to fulfil their promises, then?

MR. FLAVIN (Kerry, N.): Would not the money spent on the South African War, which had the support of the hon. Member who has asked this Question, more than suffice to provide these pensions?

[No Answer was returned.]

MR. LIDDELL: I beg to ask Mr. Chancellor of the Exchequer whether the Government would consider the desirability in any scheme of old-age pensions of excluding from participation in those pensions retired naval, military, and civil servants already in receipt of pensions, say of £52 a year and upwards; and whether he can state the number of persons over the ages of sixty-five and seventy who are now in receipt of State pensions of the annual value of £52 and upwards.

MR. ASQUITH: I will not lose sight of the hon. Member's suggestion, though I must not be supposed to commit myself to its adoption. To furnish the information asked for in the latter part of the Question would necessitate a detailed examination of the list of pensioners man by man. This would mean a very considerable amount of labour, and it appears scarcely to be called for at the present stage of the inquiry.

Imprisonment of Young People.

MR. WEDGWOOD: I beg to ask the Secretary of State for the Home Department whether he will direct that in future no sentence of imprisonment passed by a Court of summary jurisdiction on persons under sixteen years of age, in default of payment of a fine, shall be carried into effect until it has been confirmed by the Home Office.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): Such a direction would have no legal effect; neither the Crown nor any Minister of the Crown has any power to suspend the operation of the ordinary machinery of the law in the manner suggested by my hon. friend.

MR. WEDGWOOD: I beg to ask the Secretary of State for the Home Department whether he will cause a monthly Return to be made to him of all persons under sixteen years of age who are committed to any prison in England or Wales by Courts of summary jurisdiction; whether such Return may show the offence, the Court at which the sentence was passed, the age and sex of the person committed, and whether the commitment was or was not in default of payment of a fine; and whether such Return may be published.

MR. GLADSTONE: No, Sir. I am afraid I cannot undertake to call for such a Return. It would be misleading unless, in each case, it gave not only a full account of the offence, but an exact statement of the prisoner's character, his previous convictions and the circumstances which in the opinion of the Court made the sentence of imprisonment necessary. The officers of the prisons could not give these particulars.

MR. WEDGWOOD: Has the right hon. Gentleman any reason to suppose that some Courts are in the habit of dealing more severely with these cases than others? Would not a Return be useful in showing that?

MR. GLADSTONE: I have no reason to suppose that. I shall be glad to consider any facts that may be brought to my notice.

Case of Mr. Maughan of Gateshead.

*MR. BOWLES: I beg to ask the Secretary of State for the Home Department whether he has now ascertained that Mr. H. Maughan, of Gateshead, has been deprived of his son William, aged six, for a period of ten years, condemned to pay a fine of 5s. and costs, and a standing charge of 1s. 6d. per week for ten years, on the sole, unsupported, and contradicted evidence of one police constable; and, if so, whether he proposes to allow this sentence to stand.

MR. GLADSTONE: As I have already explained to the hon. Member, I am satisfied, after careful inquiry, that the committal of this boy to an industrial school was right, and in the best interests of the child; and there is no reason why the father should not make a contribution towards his maintenance. I am, therefore, not prepared to take any action in the matter.

*MR. BOWLES: May I ask whether, as a matter of fact, any evidence whatever was offered before the magistrates in support of the charge against this parent; and whether the right hon. Gentleman considers it in the public interest that, in any case, the single word of one policeman should suffice to separate a parent from his child for ten years.

MR. GLADSTONE said that if any new facts arose they would be considered. All these cases came up periodically for review.

Motor Drivers' Duties.

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Secretary of State for the Home Department if he has now completed his inquiries relative to the remark of a coroner that motor drivers could not be expected to look after children as well as their machines.

MR. GLADSTONE: Yes, Sir. I am informed by the coroner that his deputy who held the inquest stated to him that the report of the inquest which appeared in the Press was misleading and that the remarks he made did not, nor had he the least intention that they should, bear the significance which was attributed to them.

Motor Speed Prosecution.

MR. CATHCART WASON: I beg to ask the Secretary of State for the Home Department if he is aware that a police motor-driving prosecution broke down, the magistrate holding that the car was not travelling at the rate suggested by the police; if it is to be held as law that, unless the police prove the exact rate that a car capable of travelling at 100 miles an hour was proceeding, the prosecution will fail; and if, in the public interest, he will cause an appeal to be lodged against the decision of the magistrate.

MR. GLADSTONE: In the case referred to the charge was one, not of excessive speed, but of dangerous driving.

The magistrate was not satisfied that the evidence was sufficient and dismissed the charge. As the charge was dismissed on the facts, no appeal is possible. It is not in any case necessary for the police to prove the exact speed at which a car is travelling. If the charge is one of excessive speed, it is enough if the prosecution proves to the satisfaction of the Court that the speed was more than twenty miles. In a charge of dangerous driving, it is not necessary to prove any rate of speed, though the actual speed may be a matter of importance in deciding whether the driving was dangerous.

MR. T. L. CORBETT: The prosecution did not break down in the case against the hon. Member who put this Question.

Home Work.

MR. BELL (Derby): I beg to ask the Secretary of State for the Home Department whether his attention has been drawn to the conditions revealed by the Return on Home Work, No. 211; and, if so, what steps has he taken or proposes to take to remedy those conditions.

MR. GLADSTONE: Yes, I have had before me the Return on the subject of the home work provisions of the Factory Act, to which my hon. friend alludes, and which was prepared by my direction. The provisions of the Factory and Workshop Act relating to home work are enforceable by local authorities and not by the Home Office. The Return showed that the administration of those provisions in many districts was inadequate. I have caused a circular letter to be sent to the local authorities impressing upon them the importance of a more vigorous enforcement of the law, and I shall be happy to send a copy of this circular to my hon. friend and to any others who desire it. Further steps are under consideration.

Godden *v.* Hythe Burial Board.

MR. HEDGES (Kent, Tonbridge): I beg to ask the President of the Local Government Board if his attention has been called to the decision, in June last, of the Court of Appeal in the case of Godden *v.* Burial Board of the Borough of Hythe; and if, in view of the position in which many local authorities are placed by this decision, he is prepared to take any steps in the matter.

MR. RUNCIMAN: As my right hon. friend recently stated in reply to the hon. Member for the Thanet Division, this matter is receiving his consideration, and he hopes shortly to arrive at a decision with regard to it.

Betting Telegrams.

VISCOUNT TURNOUR (Sussex, Horsham): I beg to ask the Postmaster-General whether he will state the number of telegrams relating to betting despatched from the different post offices in Ireland from 1st January, 1906, to 30th June, 1906, inclusive; and how large a portion of those telegrams came from counties Down and Clare.

MR. MACVEAGH (Down S.): As this Question is partly directed at me, may I be allowed to say that I never made a bet in my life until last week, when I accepted an offer of 20 to 1 that the noble Lord would not be in the next Tory Government?

VISCOUNT TURNOUR: As a personal explanation, I can assure the hon. Gentleman that the Question is not directed at him.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar) stated that he could not furnish the information required, as the forms had been destroyed.

Post Office Finance.

MR. HAROLD COX: I beg to ask the Postmaster-General whether he is aware that in a Return, No. 339, bearing his name, and purporting to give an account of the receipts and expenditure of the Post Office telegraphs and telephones, the column headed amounts expended by the Post Office in respect of salaries, wages, maintenance, etc. is intended to include large sums spent upon extensions, or other outlay in the nature of capital, and whether he can explain why so misleading a heading is used.

MR. SYDNEY BUXTON: The column in question includes the whole of the expenditure (whether spent upon extensions, or other outlay in the nature of capital, or not) charged on the annual

Post Office Votes, and is based upon the Appropriation Accounts. This Return with its various headings dates from 1875, but I will consider whether they should be made clearer in future Returns.

MR. HAROLD COX: I beg to ask the Postmaster-General whether he will give a Return for every year since 1870 showing, as is done for ten years in Appendix R of his Fifty-second Report, the net revenue or deficit on the Post Office telegraphs and telephones, after deducting expenditure upon sites, buildings, and extensions from total expenditure; and whether he will include in that Return a statement of the total sums expended by way of capital expenditure upon telegraphs and telephones, including the original purchase price, and distinguishing the sums supplied out of revenue for such capital expenditure from the sums borrowed.

MR. SYDNEY BUXTON: Return No. 295 of 1902 gives, for the earlier years, the information required and given for recent years in Appendix R of my Report. As regards the second proposal the Question presents considerable difficulties and I shall be glad to discuss this with my hon. friend.

MR. HAROLD COX: I beg to ask the Postmaster-General whether in the various Returns issued under his name purporting to show the profit and loss upon the Post Office telegraphs and telephones, any allowance is made for interest on money spent out of revenue upon sites, buildings and extensions, or other forms of capital expenditure; and whether any allowance is made for depreciation of plant and premises.

MR. SYDNEY BUXTON: If by "money spent out of revenue" the hon. Member means money provided in the annual Votes by Parliament, the Answer to the first part of the Question is in the negative. As regards the last part of the Question, the allowance to which the hon. Member refers could not be made in the manner he suggests, unless a capital account were created.

Barlinnie Gaol.

MR. MITCHELL-THOMSON: I beg to ask the Secretary for Scotland whether the warders and prison staff of Barlinnie prison have received any extra remuneration in view of the additional work entailed by the overcrowding of the prison; and if not, whether he will consider the possibility of granting such remuneration.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): There is no authority to grant extra pay for the duty referred to, but extra leave of absence has been given in recognition of the services thus rendered.

MR. MITCHELL-THOMSON: I beg to ask the Secretary for Scotland whether on the 6th, 18th, 19th, 24th, 25th, 26th, 27th, and 28th September last, all the single cells in Barlinnie prison were filled, and in consequence prisoners were associated on those dates; whether on the 25th and 26th of September, 1,103 and 1,106 prisoners were confined there; whether these numbers are, respectively, twenty-four and twenty-seven in excess of the total number that can be accommodated in all cells, including the hospital ward; and whether on these dates, there was accommodation available for prisoners in the ordinary cells of Perth prison, as follows, viz., 6th September, 279 empty cells; 18th September, 297; 19th September, 294; 24th September, 299; 25th September, 299; 26th September, 301; 27th September, 307; and if so, why prisoners were overcrowded in Barlinnie, when accommodation was available at Perth.

MR. SINCLAIR: The facts are as stated. The numbers of prisoners admitted to Barlinnie Prison during the period referred to were abnormally high and quite unexpected. They often arrived too late in the evening for transfer to Perth. It may be, however, noted that 220 prisoners were transferred from Barlinnie in the months of July and September, almost the whole of them to Perth, so as to prevent overcrowding.

MR. MITCHELL-THOMSON: I beg to ask the Secretary for Scotland on how many days since 31st December, 1905, more prisoners have been confined in Barlinnie than the total number for which there is accommodation in all cells, including the hospital ward; on how many days during the same period prisoners have been associated there;

and on how many of these days there was not sufficient room in the ordinary cells of Perth Prison to have avoided the necessity of associating prisoners in Barlinnie.

MR. SINCLAIR: The Answer is to the first part of the Question, on eleven days, to the second on forty-five days, and to the third on none.

Perth Gaol.

MR. MITCHELL-THOMSON: I beg to ask the Secretary for Scotland on how many days since 31st December, 1905, the whole ordinary cells for male prisoners in Perth Prison have been occupied; on how many days more than 200 of these cells have been empty; and what is the average number of male prisoners confined there per day during the same period.

MR. SINCLAIR: The Answer is to the first part of the Question on no day, to the second on 279 days to 10th November, and to the third 219 prisoners.

Illegal Trawling off the Scottish Coast.

MR. AINSWORTH (Argyllshire): I beg to ask the Secretary for Scotland whether, having regard to the complaints of illegal trawling on the coasts of Scotland and the recent decision of the court of session as to the interpretation of the law, he will call for a Report from the Fishery Board for Scotland, as to the steps they are taking to enforce the law, the regulations they have made for the policing of the coasts, and the prosecution and punishment of offenders, and generally what suggestions they can offer for still further increasing the protection to which the local industry is entitled.

MR. SINCLAIR: I am in constant communication with the Fishery Board on these matters but do not think any advantage would arise from asking for a special Report. The complaints of illegal trawling have not of late been specially numerous and the regulations for fishing the coasts and prosecution of offenders are unaltered and are as efficient as the means at the disposal of the board allow.

MR. AINSWORTH: Is the right hon. Gentleman aware that much discontent prevails at the want of action on the part of the Fishery Board?

MR. SINCLAIR: I am not aware of any special feeling of the kind.

MR. CATHCART WASON: Will the right hon. Gentleman in connection with this matter bear in mind that ordinary poachers when convicted are not allowed to buy back their nets for a mere song, and will he consider the desirability of more severely punishing trawlers in this respect?

MR. SINCLAIR was understood to say that a communication had been addressed to his hon. friend which might meet his point.

The De Freyne Estate.

MR. JAMES O'KELLY (Roscommon N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say in what position the arrangements for the sale of the De Freyne estate to the tenants now stands; whether information on the subject has been refused by the Congested Districts Board to tenants who have written for the same; whether some of the tenants on the estate are now under notice to pay one year's rent who have already paid two year's rent within a period of eleven months; and whether he can hold out any hope that the doubt and uncertainty connected with the proceedings will soon be brought to an end.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen): The Congested Districts Board arranged with Lord De Freyne for the purchase of his estate on 1st April, 1905. At that time a number of the tenants had paid Lord De Freyne no rent during the previous year, and one of the conditions of the sale was that the Board should pay Lord De Freyne in cash one year's rent in respect of the arrears due by these tenants. The Board accordingly paid the money, and on 19th May, 1905, demanded a year's rent from those tenants who had paid nothing during the previous year. No demand for rent was then made on any of the other tenants. In November, 1905, a demand for one year's rent was issued to all the tenants on the estate including those who had not paid the previous year's rent until after May, 1905. In the present month demands for another year's rent have been made on all the tenants. The result, therefore, is that the tenants have been asked to pay only one year's rent in each year since the Board obtained the estate, with the exception of those tenants who, having failed to pay Lord De Freyne any rent during the last year that he held the property, were required to pay a year's rent to the Board, who had already paid it to Lord De Freyne. It is hoped that before the time of the next annnal rent collection most of the holdings on the estate will have been sold to the tenants, and in such cases the tenants will only be required to pay interest on the purchase price from 1st November, 1906, to the date of signing the purchase agreements.

Keadue Game Trespass Prosecution.

MR. JAMES O'KELLY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that at Keadue Petty Sessions, county Roscommon, a man named Bernard Gaffney appeared on summons to answer a charge of trespassing in search of game on the lands of Stonepark; that at the hearing the charge stated in the summons was abandoned, and the man proceeded against for shooting a pheasant; that the defendant was convicted and fined £3, with the alternative of one month's imprisonment, for the offence of which he had received no notice; and what steps he proposes to take in the matter.

MR. BRYCE: I am informed that at Keadue Petty Sessions, on 2nd instant, Bernard Gaffney was summoned by a gamekeeper for trespassing in search of game on the lands of Stonepark, and was fined £3, with the alternative of one month's imprisonment, upon that precise charge, which was in no sense abandoned. Gaffney had been on 5th October fined 10s. for shooting a pheasant on the same lands. The case is not one which calls for any steps on the part of the Government, who have no power to interfere with the judicial action of magistrates.

Sir E. Hudson Kinahan's Glenville Estate.

MR. WILLIAM ABRAHAM (Cork County, N.E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners are in negotiation with Sir E. Hudson Kinahan, for the purchase of untenanted grazing land on his estate at Glenville, county Cork; and, if so, whether it is the intention of the Estates Commissioners to utilise this land, when acquired, for the purpose of adding to the uneconomic holdings of tenants on the estate or providing holdings for evicted tenants.

MR. BRYCE: The Estates Commissioners inform me that they are considering the question of purchasing untenanted land on the estate in question, and with that object have directed an inspection of the estate. Until the Commissioners have received their inspector's Report, they cannot say how they may utilise the land, should it be acquired by them.

Irish School Children's Eyesight.

MR. JOHN REDMOND (Waterford): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether defective vision is rapidly on the increase in Ireland; whether the authorities in England and in Scotland are making elaborate and extensive arrangements for the testing of the sight of children attending public schools in these countries, and for guarding against the further increase of this scourge; whether the Commissioners of National Education in Ireland have taken any steps in this matter, or have collected any information whatever with reference to the prevalence of defective sight amongst children attending Irish schools; and whether the Government propose to take any steps in the matter.

MR. BRYCE: The Commissioners of National Education inform me that they have no information as to whether defective vision is on the increase in Ireland. I understand that certain local education authorities in England have, of their own motion, recently given attention to the matter of defective vision in children. The Commissioners of National Education have not, they inform me, taken any steps in the matter, but I will, without delay, commend the subject to their consideration.

Peers of Parliament.

MR. DUNN (Cornwall, Camborne): I beg to ask the Prime Minister if it is the intention of the Government to introduce, at an early date, a Bill to prohibit

Peers of the Realm, declared by competent judicial tribunals mentally incapable of managing their own personal affairs, from sitting as Peers of Parliament.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): I am disposed to think that the Government have enough on their hands at the present moment and in the immediate future without legislating for the House of Lords in the sense indicated by my hon. friend.

Rules of Procedure.

Mr. DALZIEL: I beg to ask the Prime Minister whether he is yet able to state when the proposed Amendments to the Rules of Procedure will be considered.

SIR H. CAMPBELL-BANNERMAN: I hope next week.

Local Authorities (Qualification of Women) Bill.

MR. HAROLD COX: I beg to ask the Prime Minister whether he is aware that the Local Authorities (Qualification of Women) Bill in no way raises the contentious question of women's suffrage; and whether, if he receives an assurance from both sides of the House that this Bill will be treated as non-contentious, he will provide facilities for the successive stages of the Bill.

SIR H. CAMPBELL-BANNERMAN: If my hon. friend can succeed in extinguishing all opposition to this Bill I don't know what might happen; but until that is accomplished, I am afraid I can only repeat that we cannot possibly star a Bill that has not been even read a second time.

Royal Hibernian Academy.

MR. BOLAND (Kerry, S.): I beg to ask the Secretary to the Treasury whether he is aware that the Report of the Commission appointed to inquire into the Royal Hibernian Academy has been presented to the Treasury; and can he state when it will be circulated amongst the Members of Parliament.

MR. RUNCIMAN (for Mr. MCKENNA): The Treasury has received the Report, and will present it to Parliament forthwith.

TOWN TENANTS (IRELAND) BILL.

Order for Consideration, as amended (by the Standing Committee) read.

MR. A. J. BALFOUR (City of London) said he wished to repeat a protest he made when the Government adopted the Land Tenure Bill, and declared that the practice was wholly against the interests of private Members and of sound legislation. The arguments he had used on the previous occasion remained unanswered. It had hitherto been the privilege of private Members to have their Bills pronounced upon after a Friday afternoon's debate, but if the practice obtained of the Government's adopting a Bill after Second Reading, undoubtedly the Government would be asked to give a pledge not to take up the Bill, and in the absence of such a pledge the attempt would be made to give the Bill that extended discussion Government measures received. In the preparation of their Bills a Government received aid from skilled draughtsmen which private Members could not command, and this assistance, apart from the principle of the measure, was necessary to prepare the ground work for sound legislation. The proceedings on the Land Tenure Bill illustrated this necessity. The changes the Government were impelled on their motion to introduce into that measure showed that they would have been better advised if they had drafted a measure embodying their own policy. There were special circumstances connected with the present Bill. When in the usual course the Bill came forward on a Friday, the Government, accepting the general principle of compensation for improvements, clearly and emphatically condemned the principle of compensation for disturbance at the end of a lease. The Bill was read a second time upon the distinct understanding that only with the first four clauses had the Goverment any sympathy, but having, after four hours debate, obtained a Second Reading upon doubly false pretences—as a private Bill and as having Government approval to only a fragment of it—it received in Standing Committee Amendments from the Government adopting the principle of compensation for disturbance, and it was now a Bill quite other than that to which the House was induced to give a Second Reading. Nominally and technically the Bill applied only to Ireland, and did not excite general interest, but there was nothing charcteristic in town holdings in Ireland which should make them the subject of special legislation, and, therefore, by smuggling the Bill though as a private Member's Bill, and disguised out of all recognition as that, and under pretence of being legislation for Ireland, the House was being induced to pass a measure upon which might be founded an argument for the extension of similar legislation to England. They knew precisely what they were about, and they knew exactly the end at which they were driving, and they looked to the methods which were most adapted to meet that end. That method was to induce the House of Commons to debate for four hours a Bill nominally confined to one part of the United Kingdom, and to adopt principles behind the back of the public which they deliberately intended to give extension to at some later moment. [An Hon. Member: Why not?] That might be very ingenious and very politic, but it was not the way to get sound legislation carried in that House. He did not at the present stage quarrel with the policy embodied in the Bill; but a Bill which interfered with enormous interests should be brought forward on the full responsibility of the Government and go through the ordeal of full discussion in that House and in every part of the country where interests were touched, hopes were excited, or fears were raised. Then they might get that considered legislation for which Parliament was truly responsible, whether it was good or bad. If it was bad, the country would suffer, and if it was good the country would reap the benefit. He utterly failed to see how this hole-and-corner method which the Government had adopted of dealing with property could produce anything but the most disastrous results. He was ready to admit that it was a most revolutionary way of dealing with town property, but he was not arguing that point. It might be right to confiscate property, it might be proper to take away with or without compensation a whole area of urban land. All these things might be right, but at all events let them be discussed in the country and the House with that attention and publicity which must be given to them when the public realised that they were being touched, and that the proposal was one for which a responsible Government were prepared to pledge their credit. He deeply regretted the policy the Government had adopted, and in the interests of sound legislation and the dignity of that House he begged to move that the consideration of the Bill be adjourned.

Motion made, and Question proposed, "That the consideration of the Bill, as amended, be now adjourned."—(*Mr. A. J. Balfour.*)

The CHIEF SECRETARY for IRELAND (Mr. Bryce, Aberdeen, S.) said the right hon. Gentleman had favoured the House with a long and impassioned speech, much of which might just as well have been delivered on the Second Reading, and certainly that part of the speech in which he stated that the principle might ultimately find application to England would have been perfectly appropriate to the Second Reading. [Cries of "No."] Yes, certainly it was so. The right hon. Gentleman and those present in the House then could see what the principle of the Bill was to be, and could discuss whether or not it was ever likely to be applied to England. The rest of the right hon. Gentleman's speech was very appropriate to the operation of going into Grand Committee. The right hon. Gentleman had complained that the Bill was sent to the Grand Committee instead of going to Committee of the Whole House. Why was that question not raised when it was proposed to send it to the Grand Committee. [An Hon. Member: It was raised.] Whether it was a Government Bill or a private Member's Bill made no difference to the point of the right hon. Gentleman, namely, that it was an important Bill which in his view might ultimately be applied to England.

Mr. A. J. BALFOUR: You have entirely mistaken my argument.

Mr. BRYCE said he had endeavoured to give it as well as he could understand it. What was the position in which the House found itself at the present moment? The right hon. Gentleman had laid down the general proposition that it was better that any Bill which the Government was going ultimately to take up should be introduced by the Government. They were all agreed on that general principle, but no one knew better than the right hon. Gentleman with his long experience of legislation that those general principles were subject to certain exceptions. When a Bill was found to be of an urgently important character, and it was desirable that a Bill should be passed at once in order to get rid of a grievance which was causing a great deal of complaint and difficulty in the administration of the law and the maintenance of order, it sometimes became necessary for the Government to take up a private Member's Bill and give it the benefit of the time they could provide for it. In regard to the drafting of this Bill the right hon. Gentleman's remarks were not justified, as he would see when he told him what in point of fact had happened in connection with the measure. This Bill was brought in in a form entirely different from that in which it now stood, except as regarded the first four clauses. Upon the first four clauses of the Bill there was practically little or no difference of opinion in the House. Hon. Members representing the northern constituencies in Ireland, with some minor reservations, approved generally of the first four clauses of the Bill.

MR. CHARLES CRAIG (Antrim, S.): The right hon. Gentleman is hardly right in saying that they approved of these clauses with minor reservations. There was one important reservation, and that was that the Bill was not to be retrospective. It was to apply only to the future, and it was distinctly stated that the ground of compensation was not to be retrospective.

MR. BRYCE said he did not think that point was taken up by all the hon. Members from Ulster. It might have been taken up by the hon. Member himself, but he did not understand that to be the general view of hon. Members from the north of Ireland. However that might be, everyone who remembered the debate, or who would turn to the report of it, would agree that the first four clauses of the Bill had the support of hon. Members from the north of Ireland and the general support of Members of the House. If it had depended on the first four clauses, he ventured to say that the Bill would have been read without a division. With respect to the rest of the Bill, it included two questions of principle. One was leasehold enfranchisement. That was strongly disapproved of in the way it was presented in the Bill, and his right hon. friend the Attorney-General for Ireland, who discussed the Bill in great detail, intimated clearly that the Government would not be in a position to give their support to that provision. They said that if it was possible for them to support the Bill at all it would be on the understanding that they could not support that proposal. The other principle was compensation for disturbance. His right hon. friend expressed disapproval of that also in the form in which it appeared in the Bill. It was pointed out in the debate that the Land Tenure Bill of this session provided for the payment of compensation for disturbance, and there was now in this Bill a clause providing compensation for "unreasonable disturbance." Therefore, the Government did not obtain the Second Reading of the Bill in any sense under false pretences. They obtained the Second Reading on the very principle which they then stated and avowed, namely, that they supported compensation for improvements but that they disapproved of the proposals for leasehold enfranchisement and compensation for disturbance as then presented. It was on that understanding that the Bill was read a second time, and to that understanding they adhered. When the measure went into Grand Committee the Government intimated to those whose names were on the back of the Bill that they could not give it any support unless drastic amendment of the proposals to give compensation for disturbance was made, and the leasehold clauses were omitted. The policy which the Government adhered to in Grand Committee was the policy declared on the Second Reading, and as the result of that policy they had the Bill in the form in which it stood to-day. Therefore the complaint made by the right hon. Gentleman the Leader of the Opposition with regard to the drafting did not in fact or in substance apply to the Bill. The Bill was practically re-drafted in Grand Committee, and they had put it on their responsibility in the shape in which it now came before the House. He thought he had satisfactorily disposed of the argument of the right hon. Gentleman on that matter. So far from this being a hole-and-corner proceeding, the Bill was discussed carefully and exhaustively for four days in Grand Committee in the presence of a number of English as well as Irish Members. Now the Government were taking it up and bringing it to the Report stage, where any objection that could be taken to any of the clauses could be fully stated and argued. There had been no attempt at concealment. The Government had acted in perfect good faith from first to last, and he hoped the House would proceed at once to the discussion in which the Government would be prepared to justify the view they took of the clauses.

Mr. CHARLES CRAIG (Antrim S.) said that the right hon. Gentleman had just told the House that so far as compensation for disturbance was concerned he only gave a modified approval to it; but on the Second Reading the right hon. Gentleman said that apart from the fact that he thought it would be unworkable, he entirely disassociated himself on the part of the Government from giving any approval to the principle of fixing a fair rent or giving compensation for disturbance as proposed in the Bill. He thought that if hon. Members who had already examined the provisions contained in the original Bill in regard to compensation for disturbance and the provisions in the Bill as it now stood, would find that those provisions were practically the same. The right hon. Gentleman said that the Members from the north of Ireland voted for the Second Reading of the Bill. That was not so. Hon. Members from the north of Ireland had taken a perfectly consistent position in regard to the Bill. They had always been in favour of compensation for improvements, but against making the compensation retrospective; and they had always been against proposals for compensation for disturbance. As to the question of leasehold enfranchisement he admitted there had been some difference of opinion; but he desired to emphasise what had been said by the right hon. the Leader of the Opposition that they had been treated very badly in the matter of this Bill. Hon. Members on the Opposition Benches would remember the kind of treatment to which they were subjected when the Land Tenure Bill was brought in a few weeks ago in a very unconstitutional manner. Precisely the same thing had been done in the present case. This Bill was being brought forward as a Government measure simply from the desire on the part of the Government at all costs to keep the Nationalists quiet during the rest of the session. It would be within the memory of the House that during the earlier part of the session—he thought in July or June—there was an eviction of a man named Ward in the town of Loughrea. That case was taken up because it was necessary so as to preserve law and order in Ireland.

Mr. DALZIEL (Kirkcaldy Burghs) said that the real reason why the right hon. Gentleman the Member for the City of London was making the present Motion was not the manner in which the Bill had been brought forward, but his fear that the principle might be extended to England. He thought there was a good deal to be said for and against the particular action that a Government might take in regard to private Members' Bills, but he protested against the idea that under no circumstances was the Government to star a private Member's Bill.

Mr. A. J. BALFOUR: A great controversial measure.

Mr. DALZIEL denied that this was a great controversial measure. [Opposition cries of "Certainly it is."] Hon. Members from the north of Ireland with scarcely an exception had expressed sympathy with it, and if they did not support the Bill on the Second Reading they found it convenient to be out of the House. If this new theory were to be adopted, private Members might at once give up all hope of passing any legislation at all, and all the work done in Committee upstairs after the Second Reading would go for nothing. He maintained that such a doctrine would deal a further blow at the rights and privileges of private Members. The right hon. Gentleman preached one doctrine on one side of the House and another on the other side.

MR. A. J. BALFOUR: For ten years I was responsible for the business of this House, and never once starred a controversial private Member's Bill.

MR. DALZIEL: The right hon. Gentleman shelters himself behind a phrase.

MR. A. J. BALFOUR: Name one.

MR. DALZIEL: The right hon. Gentleman starred the Musical Copyright Bill, and then was not able to carry it. [AN HON. MEMBER: That was only controversial to Caldwell.]

MR. A. J. BALFOUR: I deny that it was controversial, and I deny that it was starred.

MR. DALZIEL: If the right hon. Gentleman consults his chief Whip he will find that he is mistaken, and that the Bill was starred for a considerable time.

SIR E. CARSON (Dublin University): It was not starred.

MR. DALZIEL said there was also the sale of Intoxicating Liquors to Children Bill. [OPPOSITION cries of "That was not controversial."] Who, after all, was to decide whether a Bill introduced by a private Member was controversial? That should rest with the Government of the day to decide, because they must pay some heed to the opinion of the House as a whole. It should be remembered that this Bill had received the support of hon. Members in all quarters of the House. The right hon. Gentleman had said the House allowed the Bill to pass because it was a private Member's Bill, but he protested against any such doctrine. A private Member had a right to bring in important measures, and the Government would be failing in their duty after the House had endorsed the main principle of the Bill if they did not afford an opportunity of passing it into law.

*MR. JAMES CAMPBELL (Dublin University) said the hon. Member for Kirkcaldy had tried to make out that this Bill was not of a highly controversial character, but he held in his hand a memorandum of the Bill as it was introduced, and he would remind the House of what took place upon the Second Reading debate. The Bill contained three important provisions: (1) that the tenant was entitled to compensation for improvement, (2) that the tenant was entitled to compensation for disturbance, and (3) provisions for leasehold enfranchisement. That was the form and frame of the Bill when it passed the Second Reading. In the course of the debate, however, the Bill was bitterly attacked on the ground of the highly controversial matter which it introduced by the Attorney-General for Ireland, who proceeded to point out that it was almost impossible to conceive two more highly controversial matters than these questions of compensation for disturbance of town tenants and leasehold enfranchisement. He said that if the Bill had been confined to one provision alone, compensation for improvements, he, speaking for the Government, would have given it a favourable reception, but having regard to the unnecessary introduction of these new principles of compensation for disturbance and of leasehold enfranchisement he could not hold out any hope that the Government would facilitate its progress in any shape or form, those matters being so highly controversial that the Government could not give the time necessary for discussion. The right hon. and learned Gentleman proceeded to explain that the main objection to compensation or disturbance lay in the fact that before any Court could entertain any question of compensation for disturbance it would have to determine what was a fair rent. That necessarily involved the application to town holdings of the principle of fixing fair rents, a process of which he did not approve. He was subjected to repeated interruptions, and finally in answer to one interruption, whether he would be prepared to accept a clause dealing with compensation for disturbance on the lines of the English Land Tenure Bill, he said the effect of that would be so to change the whole character of the Bill that it would be better and simpler to introduce a new Bill. Shortly after, under the sting of further interruptions, the right hon. and learned Gentleman said that if hon. Members from Ireland were prepared to adopt the English clause he would be prepared to consider whether the Government would adopt it.

*THE ATTORNEY-GENERAL FOR IRELAND (MR. CHERRY, Liverpool, Exchange): The exact words I used were that I saw nothing unreasonable in the words of the clause in the English Bill, but that was a matter to be considered.

*MR. JAMES CAMPBELL replied that the right hon. Gentleman said that at the end of a vigorous cross-examination from hon. Members opposite, but at the outset of his speech he had stated that he for one was against the application of the principle, and that he could not understand how it would work out in fixing a fair rent in regard to town holdings, and that it would lead to a perfect deluge of litigation in Ireland. The Chief Secretary, in summing up the debate, left the House under no mistake as to what his view was of this novel principle. He emphatically declared his uncompromising hostility to the application of the principle in any shape or form to town tenants in Ireland.

MR. BRYCE: All that I said referred to compensation for disturbance as proposed in that Bill. My remarks applied solely to the clause then before us, and the distinction I drew between agricultural and town holdings also applied to that clause. My objections to the fair rent system were grounded on the form of that Bill, and do not apply to the clause as we have it now.

*MR. JAMES CAMPBELL said the right hon. Gentleman had left the position exactly where it was, because under the clause which the Government afterwards introduced it would be necessary in every case for the Court before which a claim was brought for compensation for disturbance under this Bill to find out whether the landlord's offer to renew the tenancy involved a fair rent. That was put in the very forefront of the right hon. Gentleman's section. The first thing the Court would have to determine in embarking upon this investigation was whether the rent at which the landlord was willing to renew to the outgoing tenant was or was not a fair rent. That was the same thing that was in the clauses in the Bill as it originally stood, and he challenged the Attorney-General to show to the House where the section had avoided the necessity for ascertaining the fair rent. The two clauses in this particular were identical. That being so, the Bill remained in the condition in which the Chief Secretary called it a highly controversial measure. The right hon. Gentleman had promised if these objectionable features were taken out of the Bill to get it up to the Grand Committee, and on that understanding the House agreed to send it there. In Grand Committee, a new clause was submitted by the Attorney-General giving a liberal scale of compensation for disturbance which was more revolutionary than that proposed in the original Bill. Under Clause 5 as drafted by the hon. Member for the Northern Division of the County of Dublin, Clause 5 contained a schedule which limited the amount which could be recovered in any case having regard to the rent. That was to say that where the rent was £50 and under, a sum not exceeding one year's rent and so on was provided for on a graduated scale. Under the right hon. Gentleman's clause the schedule disappeared, and his scheme was as wide and revolutionary as the other, the safeguards having been swept away. And that was done by a Government and a Minister who had denounced the whole principle as unworkable and unjust. He took the liberty in Committee to draw the right hon. Gentleman's attention to this large change, and to ask under what circumstances this extraordinary right-about-face had taken place, and the only defence was a suggestion from which the right hon. Gentleman afterwards withdrew, that perhaps he was not correctly reported in *Hansard.*

MR. BRYCE: That statement is not correct.

***MR. JAMES CAMPBELL**: Does the right hon. Gentleman say that he is not responsible for what appears in *Hansard?*

MR. BRYCE: No; but I never accept responsibility for what I find in those books unless the speeches are starred. On the other hand, I told him that the report appeared to be a correct report, and what I said then is sustained by my present attitude.

***MR. JAMES CAMPBELL** said that meant that the report quite represented his views. That made the mystery all the greater, because the language was incapable of being misunderstood. At any rate, it was a wholesale condemnation not of the Clause, but of the principle, and that was the principle which was now to be found in his own new Clause. He thought the House was entitled to know how this right-about-face happened. In Ireland they all knew what had occurred, and he was sure the right hon. Gentleman would let the cat out of the bag and tell them why the Government "climbed down" upon this measure as they had done in regard to almost every measure they had introduced. What had happened to warrant this change? About a fortnight after the speech of the right hon. Gentleman a man called Ward was threatened with eviction at Loughrea and Sir Antony MacDonnell—the right hon. Gentleman's *alter ego*—went down to Loughrea and had some negotiations or bargain with this tenant who was defying the law. In consideration of the tenant's obeying the law some promise was given.

MR. BRYCE: No.

***MR. JAMES CAMPBELL**: Some arrangement was made.

MR. BRYCE. That is quite untrue. [Cries of "Withdraw."]

***MR. JAMES CAMPBELL** said he accepted unreservedly the statement of the right hon. Gentleman, but he hardly thought that he was cognisant of what had been done by Sir Antony MacDonnel in his absence.

MR. BRYCE said there was no bargain of any sort or kind whatever made, and Sir Antony MacDonnell expressly stated, as he had said before, that no bargain whatever was made, and he was not to be taken to have made any arrangement of any kind in connection with this Bill.

***MR. JAMES CAMPBELL** said the interruption of the right hon. Gentleman left the mystery greater than before. But the Chief Secretary would kindly tell them how it came to be that a principle which was so emphatically condemned by the Government's advisers in Ireland was now embodied in the Government's clause in this extraordinary Bill. The Ulster Members were, as before, strongly against this unfair and unjust clause, which proposed to make retrospective compensation for improvements. Why had the Government changed its position in this matter? In June, in reply to a question, Mr. Bryce promised to give facilities for the Bill—

> "on the understanding that the parts of the Bill which might give rise to lengthened discussion would be dropped in Committee so as to facilitate the passage of the measure."

The House had therefore been misled, and the reference of the Bill to Grand Committee, and its passage through that Committee, had been obtained by what amounted to false pretences. False pretence number one was that the Government were hostile to the obnoxious principle of compensation for disturbance because it involved the fixing of fair rents, and false pretence number two was that all contentious portions of the Bill were to be dropped in Committee so as to facilitate the passage of the Bill. The Bill in its present form was a distinct violation of these conditions, and he would therefore support the Motion proposed by the Leader of the Opposition.

***MR. CHERRY** thought the House would agree that the greater part of the speech of the right hon. and learned Member for Dublin University was more relevant to the clause than to the Motion for Adjournment. The right hon.

Gentleman was anxious to show the Government up, and he had charged them with dealing with the House by false pretences. That was a strong phrase to use. The false pretences were alleged to have occurred in a speech which he had the honour of making in this House on the Second Reading of the Bill. He was the first Member of the Government to speak upon the Bill, which he dealt with in detail, and the Chief Secretary only spoke upon that occasion for a very few minutes. He thought he could show that everything that had taken place since the Second Reading of the Bill was perfectly consistent with what he said on that occasion, and that what he then indicated had been carried out by the House and the Committee upstairs. The Member for Dublin University had said that there were three subjects dealt with in this Bill. As a matter of fact there were four subject-matters when the measure was first introduced, and he pointed out that they were four very difficult and complicated subjects. The first was compensation for improvements; the second, compensation for disturbance; the third, leasehold enfranchisement; and the fourth, the power of setting aside leases generally in Ireland in reference to town holdings. At that time he pointed out most distinctly that the third and fourth were such as the Government could not accept, and the clauses dealing with leasehold enfranchisement and the power of setting aside leases generally in Ireland in reference to town holdings were, with the consent of the hon. Member who moved the Bill, entirely dropped in Grand Committee. As regarded the other two subject-matters, he stated that the Government were in favour of compensation for improvements both those executed after the date of the passing of the Act, and those which had already been made—he stated that the Government were strongly in favour of the principle, and would support the Second Reading of the Bill which embodied that principle. With regard to the question of compensation for disturbance, he would remind the right hon. Gentleman of what he did actually say. The Bill as introduced followed the precedent of the Landlord and Tenant Act of 1870 as regarded agricultural holdings. It gave a right to every tenant of a town holding on being disturbed to receive compensation, and it fixed the scale of that compensation. He stated that he could not accept that principle, because he thought there were grave objections to it. The clause now in the Bill was taken from the Land Tenure Bill for England, but it was upon an entirely different principle, because it did not recognise the tenant's right at all, and only gave compensation to a man who was unreasonably and vexatiously disturbed from his holding. At the time he read out to the House the exact terms of the clause, and he read it out by way of contrast, and as not being subject to the objection he had taken to the previous section. Upon that occasion the hon. Member for North Dublin interrupted him with the words—

"Would the right hon. Gentleman accept the words in the English Act?"

In reply to that he said—

"I see nothing unreasonable in the words of the clause of the English Bill, but that is a matter to be considered."

He quoted that clause with approval, and in Grand Committee the hon. Member for North Dublin expressed approval of it, and said he would accept it. Consequently he brought up the clause, and it was now in the Bill in the form in which he read it to the House. So that everything they had done in reference to compensation for disturbance exactly followed what he had said in the debate on the Second Reading. Leasehold enfranchisement and the setting aside of leases had been entirely dropped. The hon. Member for Dublin University had endeavoured to find out what had caused the Government to "climb down" and alter their position, and he had found a most delightful explanation—that it was due to the Ward case. He would remind the House that the Ward case was referred to by the mover of the Bill on the Second Reading and he read out the letter which appeared in *Hansard* written by Lord Clanricarde's agent.

*Mr. JAMES CAMPBELL said the notice of eviction was served, but it was only after the Second Reading that the landlord proceeded to evict and the disturbance arose, and it was then that the Government got frightened.

*MR. CHERRY said that, as a matter of fact, the clause with reference to compensation for disturbance was supported by hon. Members from Ireland on account of this Ward case which was referred to by the mover of the Bill and others on the Irish Benches. The hon. Member for South Tyrone also referred to it as justifying the proposal of the Bill in regard to compensation for disturbance. Therefore everybody knew that that principle was going to be inserted in the Bill. Did Lord Clanricarde ever repent an eviction or stay his hand when he commenced? Was there ever an hon. Member of this House who did not know perfectly well that Lord Clanricarde would carry out what he had threatened to do? Therefore the accusation that the Government were frightened by the action of Lord Clanricarde fell to the ground entirely. He would leave it to the House to judge whether the Government had not done exactly what they said they would.

MAJOR SEELY (Liverpool, Abercromby) said that those sitting on the Ministerial Bench had been accused of false pretences, and that was an accusation which would cause many of them to consider what course they ought to adopt if it were true. The gravamen of the charge was that the Bill was brought to a conclusion on the Second Reading by the intervention of Mr. Speaker, and that the matter was taken up by the Government. It might be supposed that Mr. Speaker would not have acted as he did had he had reason to think that the Government would take up the measure. If that had been true he would have voted for the Motion of the right hon. Gentleman, but there was not a word of truth in the statement, and he now called upon the right hon. Gentleman to withdraw the allegations he had made, knowing full well that he was so eminently fair, because had he been in the House at the time he would have known that there was no closure on the Second Reading of the Bill. What was really in fault was not the meanness of those on the Ministerial side, but the pusillanimous conduct of the Opposition when their present Leader was not in the House to lead them. It was perfectly possible for hon. Members opposite to have kept the discussion of this important matter of principle going until the discussion came to an end automatically, but they did nothing of the kind. Seeing that the right hon. Gentleman was clearly under a misapprehension he might just as well withdraw his accusation.

SIR FREDERICK BANBURY (City of London) said the hon. and gallant Member had drawn a picture of what took place on the Second Reading of this Bill, and had stated that if the closure was moved he would have voted with the Opposition.

MAJOR SEELY asked if the hon. Baronet was present on that occasion.

SIR FREDERICK BANBURY said he was not, but if he had been very likely the closure would have been moved. It was exactly the same thing during the proceedings on the Land Tenure Bill, because the closure was not moved on the Question that the Bill be now read a Second time, but on the Question that the Bill should be sent to a Committee. The Government starred that Bill and proceeded with the Report stage last week. If the closure had never been moved it would never have gone to the Committee, and therefore there was a distinct breach of faith. Never in his recollection had a private Member's Bill of so contentious a character been starred. The hon. Member for Kirkcaldy said the Musical Copyrights Bill was starred, but certainly it was not contentious, there being only two Members against it. It had been shown that at least two Members of the Government spoke against the principle of compensation for disturbance, but now they had turned completely round without giving any reason for it. The whole procedure of the House of Commons was being altered by this habit of taking up private Members' contentious Bills and starring them: they did not know where they were. Under such a system what was there to prevent the Government making an arrangement with a private Member to bring forward a measure which was very obnoxious to the Opposition and passing it into law in this way? They only needed to look at the proceedings on the Land Tenure Bill as an example of this kind of legislation. They did not want the precedent of the Land Tenure Bill to be continually followed in this House, and he would have thought, after their experience in regard to that Bill, right hon. Gentlemen opposite would have been loth to bring before the House another measure in the same category. He hoped those Members, irrespective of Party, who had some regard for precedent would vote for the Motion.

Mr. WALTER LONG (Dublin, S.) said the hon. and gallant Member who had called upon the Leader of the Opposition to withdraw his remark that the Government in acting as they had done had been acting on false pretences, had based the whole of his argument on the single fact that the Second Reading of the Bill was carried without the closure. That had nothing to do with the argument of the Leader of the Opposition, and nothing to do with the case in point. The hon. and gallant Member had suggested that members of the present Opposition were not so successful in impeding business as he and his friends were, and had imputed to them a want of courage, but he passed that by. What was the situation at the close of that debate? It had already been pointed out by the right hon. and learned Member for Dublin University that the Attorney-General led them to believe that the doctrine of compensation for disturbance which was included in the Bill would not find favour with the Government, and that they would do what Governments generally did when they disapproved of the guiding principles of a Bill—take steps themselves to see that it was not adopted.

Major SEELY: Was the right hon. Gentleman present at the time?

Mr. WALTER LONG said he was not present. He was not in the least afraid of being challenged in this House for that or any other action.

*Mr. CHERRY: You did not vote.

Sir Frederick Banbury.

Mr. WALTER LONG said he did not, and he was going to say so himself without the right hon. and learned Gentleman's interruption. The contention of his right hon. and learned friend the Member for Dublin University was that the impression left upon the mind of the House was that the Government did not approve of the policy of compensation for disturbance, but they now found that the Government had introduced Amendments on the subject which not only upset the principle on which the House believed the Government were agreed, but carried the original proposals of the Bill still further. What was the view taken by advocates of the measure at the time? The hon. and learned Member for Waterford said—

> "He had heard the speech of the Attorney-General with great regret. The right hon. and learned Gentleman said he would vote in favour of the Bill, but went on to criticise almost every detail."

The hon. and learned Member for Waterford expressed a view which was held, he undertook to say, by every Member who took part in the debate. The right hon. and learned Gentleman challenged him for not voting in the division. They all made mistakes, and he might have been mistaken, but his conviction was that the Government intended to remove from the Bill all those parts to which he in the main objected, and the result of that debate was to lead to the belief that the Bill would cease to be a controversial measure, because the parts which led to controversy and difficulty were to be removed at the instance of the Government themselves. While he was not prepared to vote for a Bill to many parts of which he objected, he was not prepared to vote against it in face of what he thought to be the definite declarations of the Government. With regard to the Loughrea controversy and the statement of the Attorney-General for Ireland that the incident had nothing to do with the action of the Government in regard to this Bill, the House knew at all events that the incident was in existence when the Bill was introduced. The Government sent a representative who came to an arrangement with the tenant. They were told that there was no arrangement made on that occasion, but, at all events, the hon.

Member for Mayo speaking, he believed, to his own constituents, had referred to this Bill as the result of the Loughrea incident, and to the fact that His Majesty's Government had made up their minds to star it and to give it their authority as a direct consequence of what had taken place at Loughrea. So that if the Opposition were under a misapprehension in regard to this matter they were not alone in putting that construction upon the Government's action. The hon. and gallant Gentleman took offence at the phrase "false pretences." He admitted it was a strong phrase, but it was abundantly justified having regard to the action of the Government in reference to this Bill and the Land Tenure Bill. If the policy of adopting private Members' Bills at the shortest possible notice and giving them precedence over Government Bills was to be followed it would be much more difficult for private Members to have full enjoyment of their rights in future than it had been in the past, besides inflicting an injustice on the Opposition. He maintained that his right hon. friend's Motion was abundantly justified.

Question put.

The House divided :—Ayes, 75; Noes, 278. (Division List No. 414.)

AYES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Aubrey-Fletcher, Rt. Hn. Sir H.
Baldwin, Alfred
Balfour, RtHn A.J.(City Lond.)
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.)
Beach, Hn. Michael Hugh Hicks
Bowles, G. Stewart
Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Craig, Charles Curtis (Antrim, S.
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Dixon-Hartland, Sir Fred Dixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Harvey
Duncan, Robert (Lanark Govan
Faber, George Denison (York)
Fell, Arthur
Fetherstonhaugh, Godfrey
Finch, Rt. Hon. George H.
Fletcher, J. S.
Gardner, Ernest (Berks, East)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Heaton, John Henniker
Helmsley, Viscount
Hervey, F. W. F (Bury S. Edm'ds
Hill, Sir Clement (Shrewsbury)
Kenyon-Slaney, Rt. Hn. Col. W.
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Liddell, Henry
Long, Rt. Hn. Walter (Dublin, S.)
Lonsdale, John Brownlee
Magnus, Sir Philip
Marks, H. H. (Kent)
Mildmay, Francis Bingham
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield)
Pease, Herbert Pike (Darlington
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Rothschild, Hon. Lionel Walter
Salter, Arthur Clavell
Smith, Hon. W. F. D. (Strand)
Stanley, Hn. Arthur (Ormskirk)
Starkey, John R.
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell- (Lanark)
Thornton, Percy M.
Vincent, Col. Sir C. E. Howard
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Wilson, A. Stanley (York, E.R.)
Wolff, Gustav Wilhelm
Wyndham, Rt. Hon. George
Younger, George

Tellers for the Ayes—Sir Alexander Acland-Hood and Lord Balcarres.

NOES.

Abraham, William (Cork, N.E.)
Acland, Francis Dyke
Ainsworth, John Stirling
Alden, Percy
Ambrose, Robert
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somers't
Barlow, Percy (Bedford)
Barnard, E. B.
Barry, E. (Cork, S.)
Beauchamp, E.
Beaumont, Hn W. C. B (Hexham
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, Sir J Williams (Devonp'rt)
Bennett, E. N.
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Boulton, A. C. F. (Ramsey)
Bramsdon, T. A.
Branch, James
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn Sir J T (Cheshire
Bryce, Rt. Hn. James (Aberdeen
Buchanan, Thomas Ryburn
Burke, E. Haviland-
Burns, Rt. Hon. John
Buxton, Rt. Hn Sydney Charles
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Causton, Rt. Hn Richard Knight
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clancy, John Joseph
Clarke, C. Goddard
Clough, William
Coats, Sir T. Glen (Renfrew, W.)

Cogan, Denis J.
Condon, Thomas Joseph
Cooper, G. J.
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Crean, Eugene
Crombie, John William
Crooks, William
Dalziel, James Henry
Davies, M. Vaughan- (Cardigan)
Davies, Timothy (Fulham)
Delany, William
Dewar, John A. (Inverness-sh.
Dickinson, W.H (St. Pancras, N.
Dickson-Poynder, Sir John P.
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Essex, R. W.
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Ferens, T. R.
Ffrench, Peter
Field, William
Fiennes, Hon. Eustace
Flynn, James Christopher
Fullerton, Hugh
Gibb, James (Harrow)
Ginnell, L.
Gladstone, Rt. Hn Herbert John
Glendinning, R. G.
Glover, Thomas
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Halpin, J.
Hammond, John
Hardie, J. Keir (Merthyr Tydvil
Harmsworth, Cecil B. (Worc'r.)
Hart-Davies, T.
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Hedges, A. Paget
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Idris, T. H. W.

Jardine, Sir J.
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Joyce, Michael
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lea, Hugh Cecil (St. Pancras, E.)
Leese, Sir Joseph F. (Accrington)
Lehmann, R. C.
Lever, W. H (Cheshire, Wirral)
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lynch, H. B.
Macdonald, J. M. (Falkirk B'ghs)
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.
M'Callum, John M.
M'Hugh, Patrick A.
M'Killop, W.
M'Micking, Major G.
Maddison, Frederick
Markham, Arthur Basil
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Mond, A.
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B
Newnes, F. (Notts, Bassetlaw)
Nicholson, Chas. N. (Doncaster)
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W)
O'Connor, John (Kildare, N.)
O'Donnell, T. (Kerry, W.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, James (Roscommon, N)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.

O'Shee, James John
Parker, James (Halifax)
Pearce, William (Limehouse)
Philipps, Col. Ivor (S'thampton
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Power, Patrick Joseph
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, T. F. (Wolverh'mpton
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hn. T. (Hawick B.)
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Smyth, Thomas F. (Leitrim S.)
Snowden, P.
Soames, Arthur Wellesley
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hon. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward (Salisbury)
Thompson, J. W. H (Somerset, E)
Thorne, William
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walton, Sir John L. (Leeds, S.)
Ward, John (Stoke-upon-Trent
Ward, W. (Dudley (Southampt'n
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland

Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Wilson, J. H. (Middlesbrough)
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

SIR FREDERICK BANBURY moved the omission of Clause 1. He understood that many Members were in favour of giving compensation to tenants for improvements, but they were not in favour of giving compensation for improvements that had been made when no such principle was in contemplation by either the landlord or the tenant. They were in favour of some principle of compensation, provided it was not made retrospective. Of course, no one could object to legislation as unjust which altered the existing method of procedure, provided that it was not made retrospective. So far as he was concerned, if the clause had not been retrospective he probably should not have moved its omission though he was against the principle of interference with contracts between man and man in matters of this kind. He went rather further than hon. Members from Ulster. If Parliament was to be continually interfering between man and man on the question of what they were to do with their own money and, generally, how they were to conduct their own affairs, provided that there was no question of fraud, he held that they would be introducing legislation which would do no good to any man, and would not assist those whom it was supposed to assist, but which would hamper capital and prevent desirable improvements. If this clause became law every landlord would say, "How can I avoid making myself liable for compensation for things of which I do not approve?" It might be said that there were clauses in the Bill which would allow the landlord to have something to say, and that an improvement could not be made unless it was approved of by him. If it was an improvement to which the landlord objected on the ground that it was unnecessary or that it would not add to the value of the house or property, he could go to a Court of law. All that was encouraging lawyers and preventing people from carrying on their own affairs. The words in the clause "or his predecessors in title" would make a landlord liable for "improvements" which were not improvements, which might have been carried out without his sanction, and about which he knew nothing. Why should a man who made an improvement after the passing of this Bill be compelled to prove that it was an improvement, whereas a man who made an "improvement" which was not an improvement forty years ago could come down and say, "I or my predecessor in title made this improvement years ago, and, therefore, I am entitled to compensation?" He would point out to the Chief Secretary what might occur in the case of a long leasehold. He instanced a case where ninety-nine years ago a man took a piece of ground at a rental of £5 on the understanding that he should erect a house on it. That house might have been sold several times over, and have come into the hands of the present owner only five years ago. Why should that man get compensation for the improvement when it was part of the original bargain that the ground rent should be low on account of the improvement which the leaseholder was to make on the land? If they did that they were going to alter the whole system on which houses had been built, not only in Ireland, but in England. The system was that the builder got a piece of land at a low rent in consideration of his putting a house upon it, and of the house reverting to the landlord. Though it was a system which had certain drawbacks it had been found to work well. The greater part of the City of London had been constructed on that principle, and he did not think that anyone would get up and say that the City of London had not prospered. The hon. Member for the St. Patrick's Division of Dublin, in his speech on the Second Reading, stated that the City of London was a great sinner in that respect. The tenants in the City of London were men of business and they were perfectly content. If they were satisfied he did not see any necessity for making a change in the law there. This was not the first time that a Bill of this kind had been before the House. In 1886 a Bill of a somewhat similar character was brought forward, and the then Government strongly opposed it. Mr. Gladstone, who was then Prime Minister, and the present Secretary of State for India, opposed the Bill. What happened after that? The Bill of 1886 was referred to a Select Committee which sat for something like three years, and in their Report that Committee said that they were not prepared, after the best consideration they had been able to give to the evidence, to recommend so great an alteration of the law as to leases and contracts of tenancy as to give to occupiers the right to compensation for the value of the improvements made by them. If this Bill were passed into law, he contended that the result would not only be unjust to owners, but would prevent investment in house property in Ireland. That was shown in a letter written to the right hon. the Chief Secretary by a Mr. Montgomery, who quoted the case of a house let at £12 a year for sixty-one years where the tenant made some small improvements. The low rent which the tenant paid, however, had amply compensated him for any improvements he had made; but under this Bill he would be paid for those improvements twice over. If the clause had been limited to long leases it would have been bad enough, but it was worse when applied to short leases. A man might take a lease of premises for a fortnight and make an alteration and then claim compensation. The owner might have to go before a Court of law and employ eminent counsel to defend his interests, and the result would depend on whether or not the Court decided that the alteration was an improvement. It was very difficult for any Judge to find out whether a supposed improvement was really an improvement. He had much pleasure in moving the omission of the clause.

*Viscount CASTLEREAGH (Maidstone) seconded the omission of the clause, because he considered it most unreasonable that a landlord should be asked to pay compensation for so-called improvements which had been made in the past and in the making of which he had had no voice whatever. He was not in any way opposed to the principle of the Bill, at least not to the principle involved in the first four sections, but he maintained that from the manner in which it was drafted it was bound to lead to a great deal of litigation. In fact, this prospective increase of litigation was a characteristic of all the Bills of the present Government; and he hoped that they would simplify the first clause in order to prevent litigation. As it stood the clause placed the landlord in a very unfair position. He knew that hon. Gentlemen below the gangway could not conceive of any punishment sufficient for a landlord; but he thought that they ought to realise that a landlord was a human being like themselves, and that he owned his property just as much on the same conditions as hon. Gentlemen below the gangway owned the suit of clothes they wore at the present moment. It was not in accordance with the principles of freedom that the property of any citizen of the Empire should be confiscated by the other citizens; and it was for that reason that he begged to second the Motion for the omission of the first clause.

Amendment proposed to the Bill—

"In page 1, line 6, to leave out Clause 1."—(*Sir Frederick Banbury.*)

Question proposed "That the words 'Subject to the provisions of this Act' stand part of the Bill."

Mr. BRYCE said that the hon. Baronet the Member for the City of London might just as well have moved the rejection of the Bill as the omission of Clause 1, because that clause embodied the whole principle of the Bill. Clause 1 set forth the principle that under certain conditions the tenant was to have compensation for certain improvements he had made on his tenancy; and therefore if the hon. Baronet and the noble Lord wanted to have that principle recognised at all they should vote for the clause. The objections taken by the hon. Member for the City of London were objections to different points in the Bill; but he did not think that anybody would agree with the hon. Baronet that there should not be any compensation given at all for improvements made by the tenant. Two other objections were to the Amendments put down by the

Attorney-General for Ireland, one an Amendment to Clause 2, and the other an Amendment to Clause 13. He could not at that stage enter into a complete argument as to the manner in which the hon. Member who had made the objections would be met when they came to deal with that part of the Bill, but he was prepared to argue the question at the proper time. The hon. Gentleman who was almost alone in his opposition to the Bill dealing with the sale of intoxicating liquors to children, was, he thought, likely to occupy almost the same distinguished position on this occasion. He would not receive much support in resisting a principle on which nearly everybody in Ireland was agreed.

MR. RAWLINSON (Cambridge University) thought the Chief Secretary had mistaken the temper of the House if he thought there was to be no opposition to this clause or this Bill. He objected to the tone in which the right hon. Gentleman had dealt with the objections to Clause 1 by saying that the House, by passing the Second Reading of the Bill, under circumstances of which they were aware, was estopped from pointing out the glaring wrongs which appeared in Clause 1 as it stood. Before he dealt with the clause in detail he might be allowed to enter his protest against the principle which it contained. It was that when two grown men, who were capable of taking care of themselves, entered into a contract the Government should interfere between them and say that they knew the business of those men better than the men themselves knew it. The experiment had been tried by Legislatures in various parts of the world, and it had rarely been successful. This Bill went a step further than the Land Tenure Bill. There might be exceptional cases in which it was desirable to depart from the sound rule of allowing people to settle their own contracts, but they did not arise here. He instanced the case of a person who had let a house for three years, with the intention of coming back at the end of that time. Under this Bill, during the owner's absence, without his leave, request, or authority, the tenant might put a conservatory at the back of his drawing room, a thing he objected to, but this Bill said that not only was he not to ask the tenant to remove it, but he was to pay him a ruinous price for it. That he considered most objectionable. Such a doctrine would not be tolerated in England for a moment, and he would remind the House when they were dealing with this question that the landlords of England were not invariably among the richer classes. In Cambridge, with which he was familiar, most of the people of the lower middle class and working people invested their savings in landed property or houses through the medium of building societies or directly. It was bad enough when a man was rich that he should have to give compensation for improvements which he had never authorised or comtemplated, but it was worse when he was poor that he should at the termination of a tenancy be called upon to pay large sums of money. Of course as far as future contracts were concerned the matter would more or less right itself. If a tenant was taking land for the purpose of building and it was understood that at the end of the building lease he was to be paid the value of what he had put upon the land, he would not get the land at such a small rate as he did at the present time, when he might merely have to pay a peppercorn rent. Alterations would be made if this Bill became law, and the peppercorn rent would go and the tenant would have to pay more for the land. Therefore it was with the past rather than the present that he was dealing. In the case of a building contract for the full term of ninty-nine years land was, sometimes given for nothing because the landlord obtained the houses at the end of a certain period. Both the landlord and the tenant entered into this class of contract with their eyes open, and why should a Bill of this kind be brought forward to subsidise the speculative builder? It would not benefit the tenants of the houses, and the Government were going to step in not between landlord and tenant in the ordinary sense, but between the landlord and the speculative builder, and give the latter far more than he ever bargained for. He had had experience of speculative builders, and he was perfectly certain that as a class they were well able to take care of themselves, and he thought his fellow subjects as a whole were also perfectly capable of looking after their own interests in the case of a bargain. It was for this reason that he objected to a clause which would work injustice in regard to existing contracts. The clause had been drawn not carefully but in an ill-considered way, and in his opinion should be rejected by the House.

MR. CHARLES CRAIG said the Chief Secretary had informed them that they ought all to vote for this clause because it merely contained the principle of compensation for improvements. He disagreed with him entirely. There were two distinct principles in the clause. One was the principle of compensation for improvements contracted for after the passing of this Act, and the other the principle of compensation for improvements which had been made in the past. Those two principles were as different as any two principles could be, and he was looking forward to the time when the Chief Secretary or the Attorney-General for Ireland would explain the grounds upon which compensation for improvements made in the past was to be justified. Up to that time they had had no argument put forward in favour of the retrospective action of the Bill, and the House was looking forward with considerable expectation to the argument which would show that a tenant who had made his bargain twenty or thirty years ago, on the basis that he could expect no compensation, after the lapse of thirty years, by the action of this clause, was to be entitled to say, "I made these improvements and I shall be obliged if you will give me the value of them now." Such a proposal was opposed to all sense and reason. It was a reasonable and just thing if a person made an important improvement, which would add to the value of the holding, or the building, which was suitable to it, and from which the landlord or the incoming tenant would get a distinct advantage, that he should receive compensation for that improvement. That was part of this clause, but, unfortunately, the clause also contained the pernicious principle that the tenant should be paid for improvements made years ago when there was no question whatever of compensation. He did not think that either just or fair, and therefore he traversed the statement of the Chief Secretary that if the House approved of compensation in any form they must vote in favour of this clause. The attitude that he had taken up all along was that the Government ought to have introduced such a Bill as that which was introduced last year, and made it apply to improvements made after the passing of the Act. That would have been a perfectly fair and reasonable thing to do, but this Bill went far beyond that; this first clause went beyond it, and the four clauses of the Bill went very much further. They were now, however, only dealing with first clause, and it was the duty of all those who held the views which he professed to vote against it.

SIR E. CARSON congratulated the Government and the House upon the general enthusiasm of English Members in passing this Bill for inflicting what he believed would be a gross injustice upon the Irish landlords of town property. He had not the least doubt that if the Government had made this Bill apply to England as well Ireland, instead of empty benches, they would have seen many anxious faces of people on both sides who owned property in various parts of the country. Knowing the circumstances of both Ireland and England, he stated without fear of contradiction that the town tenants of Ireland were in a far better position than those of England as regard their property. And the House must not pass this clause under the impression that the principle could be confined to Ireland. The right hon. Gentleman the Chief Secretary had said that no Member from Ireland could be found who would oppose the clause. He (Sir E. Carson) might be a very unique individual, but he certainly was opposed to it. To enact this provision as it stood, without having regard to the relationship that had been established between landlord and tenant, either personally or by assignment, was, as he thought he would be able to show, as unjust as anything that could be conceived in relation to property. The right hon. Gentleman was very suave and said that if the House dealt with this clause now they could deal with the other matters by means of the Amendments on the Paper. If the Chief Secretary had told the House what Amendments he proposed to accept his observations could have been understood. They could not let this clause go until they had such a statement. Were the Government going to make the proposal applicable to a case where the landlord had entered into a contract with his tenant that the tenant should not be compensated for improvements? He would like to know also if he read this Bill rightly when he deduced from it that it was to be applied to the case of a tenant for life. Let them take the case of a tenant for life of a property the tenancy of which expired during his tenancy for life. Was he right in supposing that the tenant for life, on his tenant going out, was to pay for improvements which had been made long before he became the tenant for life, and that he was to pay the compensation out of his life interest? Was that to be a charge on the life interest or on the fee? He found nothing in the Bill to enable the tenant for life to pay it out of the fee. He put it to the House, was it a fair obligation to place upon the tenant for life? Was it fair to mulct him in the cost of improvements with which he had nothing to do, in relation to a property in which he only had a limited interest? He might have to pay a fourth of the whole value of the fee, and he would have no remedy. This was not a section which charged the property with the cost of the improvements of the premises. It created a personal liability, and if the interest of the tenant for life, or any other person who was in the happy or unhappy position of being a landlord, of this town property was less than the amount claimed against him for compensation, he would have to pay that claim out of his own private property merely because he happened to be the owner of the property. Let them take another case, the case of a landlord and a tenant who both came in by way of assignment. The landlord on purchasing fixed his purchase money without any regard to the fact that he would have to pay his tenant compensation for improvements, and the tenant who had purchased his property had fixed his price after having regard to the improvements made by his predecessor. Was that tenant to have compensation for improvements? The proposition was too absurd to be seriously considered. But if that was not the meaning of the Bill, he would be much obliged if the Atttorney-General would tell him how those cases were taken out of it. The truth of the matter was it would be impossible under this Bill to apply with justice the principle which had been applied to the land of Ireland in giving compensation for improvements, and he failed to see how any plan could be laid down which would avoid the difficulties he had suggested. Let them take the case of several intervening leases each of which was a little longer than another, and suppose one interest fell in. The tenant in that case would claim from the next immediate landlord. He would claim probably the letting value at the time his lease fell in, and he would be paid at the price fixed as the value of the improvements so far as they added to the letting value. But when did the landlord get the value of the improvements which he would have to get from his immediate landlord? He obviously would have to wait until his lease fell in. But in the meantime the value of the property might have fallen, and then he would get less from his landlord than his tenant got from him, and that would be repeated until they got back to the freeholder. Were the Government going to make the Bill applicable to past contracts so as to enable tenants to break their contracts? He would vote for a clause which, without breaking existing contracts, would, in the absence of agreement, give compensation for improvements limited to the particular tenant entering into the contract or those who by devolution of law succeeded him The clause as it stood threw a gross injustice upon limited owners.

*MR. CLAVELL SALTER (Hants, Basingstoke) said it approached a scandal that three such speeches as the House had listened to should be allowed to be made in sequence, without any attempt being made to answer them. If this were a matter of mere abstract principle, he would say it was perfectly reasonable that when two men were interested in a piece of land, and one made an improvement from which both benefited, that both should pay for that improvement in so far as they both enjoyed it. If the clause only went so far, he should not feel bound to vote against it. He was glad to see from the third clause that everything in dispute was to be settled by a Court of law. He was a great believer in Courts of law, and he believed no man would come to any great harm through being compelled to do what a Court of law found reasonable. He doubted very much whether this Bill would have the effect that both its supporters and its opponents anticipated. It would undoubtedly raise rents, and would give a certain benefit to the tenant which he did not now enjoy. It would throw upon the Courts of law a burden the greatness and difficulty of which many Members of this House had no idea of. The particular effect which this clause would have would not greatly benefit the tenant or injure the landlord, but it would provide a great deal of litigation, confer a great deal of well-deserved remuneration on lawyers and expert witness, and involve a great waste of money. The time had now arrived when they were entitled to ask whether the right hon. Gentleman responsible for the Bill was prepared to indicate in a general way and in any degree what modifications he would reasonably consider if they were not to vote against the clause as a whole. If the clause were not amended injustice was possible. The rent of premises might have been assessed on the basis that the tenant would execute the repairs, and that on quitting the premises he would surrender to the landlord the unexhausted value of any improvements, and so enable the landlord to raise the rent to the next tenant. Under this Bill they were putting on the landlord a burden from which he had been free, and at the same time allowing the tenant to rent the premises at the lower figure. There was no precedent for this. In the Bill brought in last year the promoters were very careful to set out the fact that it was not to be retrospective. He appealed to the right hon. Member responsible for the Bill to indicate whether the Government would undertake to consider favourably the claim which those who opposed the Bill would make that this clause should not be rendered retrospective.

*Mr. CHERRY said the hon. and learned Member who had just spoken had complained that the Government had not answered previous speakers. If he had done so there would have been no one on the Treasury Bench to answer the brilliant speech just made. The hon. and learned Gentleman said there was no precedent for making the Bill retrospective. That showed how ignorant English Members could be of Irish law. The Land Act of 1870 was retrospective, and, moreover, contained a clause much stronger than anything in this Bill. The principle of the first clause of this Bill was that compensation for improvements ought to be made to the tenant of a town holding who had made the improvements at his own expense. The hon. and learned Member for Cambridge University based his objection to this clause upon the ground that it was a breaking of contract, but there was nothing in the clause inconsistent with contract, and if the hon. and learned Gentleman had taken the trouble to read sub-section (3) of Clause 2 he would have seen that a tenant was not entitled to any compensation in respect of any improvement made, whether before or after the passing of this Act, in contravention of a contract in writing not to make the improvement, so that the objection of hon. and learned Gentlemen fell to the ground.

Mr. RAWLINSON said this Bill would entirely alter the English law, because it would make the landlord pay for something he had never contracted to pay for, and which, apart from this Bill, he would not be bound to make.

*Mr. CHERRY said certainly he paid for what he got and only for what he got. The second point raised was that it was a great hardship upon a person who let a house for a short time and went abroad for a couple of years, and on his return found, for instance, a conservatory erected for which he had to pay. That was met by Clause 8.

Mr. RAWLINSON submitted that the clause had absolutely nothing to do with the lease he suggested.

*Mr. CHERRY said the case was of a very exceptional character, besides which the tenant was bound to prove that he added to the letting value of the holding. Impossible and absurd suggestions were made, and the House was asked to reject the whole clause because of possibilities which were really answered by other clauses of the Bill. As regarded the question raised by the right hon. and learned Gentleman for Dublin University in respect of tenants for life, when they reached the clause dealing with the incorporation of the section of the Act of 1870, the right hon. and learned Gentleman might, if he liked, move an Amendment, and he promised the Government would give the matter full consideration. With regard to intervening leases, if a man took over possession of a house with the improvements, so long as he occupied the holding he enjoyed the benefit of the improvements, and so soon as he surrendered to the landlord he got paid. The points that had been raised dealt really not with the clause at all but with the whole principle of compensation for improvements. Everyone agreed, he thought, that the Act of 1870, which gave the agricultural tenant compensation for agricultural improvements, had worked with substantial justice to the tenant and had done no injustice to the landlord, and there was no reason to apprehend that the same would not be the case in regard to town holdings. If hon. Members were in favour of one part of the clause and took objection to the other the logical course was to vote for the entire clause and then move Amendments.

MR. A. J. BALFOUR said the speech of the right hon. and learned Gentleman was an illustration of the extreme inconvenience of the methods adopted by the Government in taking over the conduct of this Bill at this stage. It had been discussed no doubt in Committee upstairs, though not by the Committee on Law to which they asked the Government to send it, but by the Committee on Trade. Everybody knew, however, the difficulty of getting hard-worked Members to attend in the early hours of the day as well as in the late hours of the day, so that they could never get this House adequately represented on that Committee, and least of all the Government. Without saying anything at all offensive to the right hon. and learned Gentleman, whose abilities they were all ready to admit, he did not think that when they were dealing with so vast an interest as was here involved discussions carried on in Grand Committee and under present conditions were adequate. On the most important clause of the Bill the Attorney-General for Ireland had made a few perfunctory remarks so far as the merits of the clause were concerned, because, said he, the clause was discussed on the Second Reading and was really the Bill, so that he must be excused from further arguments. The late Solicitor-General for England had made a speech, and the Government had to give some sort of answer, and when the Attorney-General for Ireland at last got up he said he had not done so before because he could only speak once. That was also true, but was not the moral to be drawn from it that the House could not discuss the details of these great measures on Report stage? If it were the Committee stage the right hon. and learned Gentleman would be in the happy position of being able to reply to each new point that was raised. On Report he could only speak once, and the representatives of the Government absolved themselves henceforth from taking any notice of any further argument, however effective. Might he call attention to one amazing statement made by the Attorney-General for Ireland, who actually had the courage to tell the House that this Bill did not interfere with contracts?

*MR. CHERRY: What I said was that the clause we are now dealing with was not inconsistent with contracts.

MR. A. J. BALFOUR said his view was that they ought not to be inconsistent with or to ignore or interfere with contracts. The right hon. and learned Gentleman thought it very wrong to interfere with contracts.

*MR. CHERRY: I do not say that.

MR. A. J. BALFOUR said the right hon. and learned Gentleman did not even think it was wrong to interfere with contracts. At all events the right hon. and learned Gentleman thought it was somewhat inconsistent. They must be permitted to regard that statement with some astonishment. Surely these rather crude doctrines should be wrapped up with a little more decency and delicacy. The right hon and learned Gentleman had not said a word to justify so great a departure from ordinary practice. He quite admitted that it was in absolute conformity with the principles of justice that in future leases this House should lay down the thesis that the tenant was always to get compensation for any improvements. He admitted that there was nothing unjust in that. He was not so certain that there was nothing inexpedient in it. He personally, being a Scotsman, had a prejudice in favour of the system of perpetual leases which were called feus. He preferred that system to the ninety-nine years' leases, or the eighty years' leases, which were common in the Metropolis and other towns of England. Though he would like to see the English practice largely changed, were they sure they were doing anything for the advancement of the community in saying that no owner of property was really to make a contract with a tenant which would save him from all anxiety as to the value of his property, but that he should be required to take a close personal interest in his property from year to year? There was great advantage in permitting people so to arrange their affairs that one might be content with very low interest, and so avoid trouble, while the higher interest was received and the trouble taken off his shoulders by somebody else. That was of immense advantage to small investors, to widows and orphans who really had not the machinery for looking after their property. It was of enormous advantage to insurance societies, building societies, and other associations of that kind. They were going to make that kind of investment impossible. He was not saying that there was any injustice in this, but were they wise entirely to destroy a certain kind of investment which was now recognised as one of immense convenience to a very large and varied body of investors? He was not by any means sure that it was a wise thing. He was arguing this matter quite deliberately from the British as well as the Irish point of view, because if they passed the Bill it could not be confined to Ireland. Was it right and expedient to make a certain class of investment absolutely impossible? He could not believe that that was in accordance with judicious practice. In his opinion it was unwise to forbid an owner's accepting a low rent from a tenant in consideration of his being relieved from all anxiety and trouble, and to compel the tenant to pay a higher rent and recoup himself by compensation for his improvements, at the end of his lease. He had shown that it was a policy of doubtful expediency to prevent the kind of contract now common between what were called the ground landlords and speculative builders, or between the owners of house property on the one hand and the tenants on the other. He had shown that in regard to future contracts there might be real and genuine hardship which this Bill created, and did nothing to cure. The Government had offered no defence at all of the proposal to break or interfere with contracts already in existence. That was really nothing in the world but highway robbery. It was quite incapable of justification, and no justification had been attempted. It was quite true that the Government, when pressed on this point, had always quoted the Irish Land Act of 1870. It was not his business to defend the Irish Land Act of 1870, or the Irish Land Act of 1881, or any of the methods by which this House had chosen to deal with Irish agricultural land. At all events, there was this to be said of that whole series of legislative enactments, that undoubtedly Irish agricultural land stood in a totally different position from English, Scottish, French or Italian or any other agricultural land of which he had any knowledge. While not defending what had been done, he was not prepared to say that exceptional legislation was not required for agricultural land in Ireland. But there was nothing characteristically Irish or British about the tenure of town holdings in Ireland or England. It was a common method. It was common in every country that a man should let his town house on what terms he liked. That had been done by English, Scottish, and Irish owners of town property, believing, and rightly believing, that they were dealing with their property in a perfectly lawful manner when they fixed the rent at which they would let the house, on the understanding that they had not to pay for improvements to the houses at the end of the lease. For that reason, and on that ground, the tenant undoubtedly got the house at a lower rent. There could be no pretence that these people were incapable of making their own bargains. Although a tenant had got his house for a low rent on a certain understanding, and although the owner had let the house for a low rent on account of that understanding, the Government proposed to tear up that understanding, and they would not allow the parties to remake the bargain. They kept the owner to the pecuniary terms of the contract;

they took out the landlord's pocket something which belonged to him, and gave it to the tenant to whom it did not belong. That was what he called highway robbery. How the Government could have such a passion for adopting other people's Bills, for acting *in loco parentis* to other people's children when those children were so extremely ill-favoured as this one was, passed his comprehension. He should vote against a clause which so lightly broke contracts made between free and responsible citizens of this country.

*Mr. JAMES CAMPBELL said the attitude adopted by the Chief Secretary had placed many Members of the House in a position of the greatest difficulty. He would like hon. Members representing English constituencies to give their attention while he explained what Clause 1 really meant and did. First of all the clause included "a tenant of a holding to which this Act applies." Hon. Members opposite would be surprised to hear that under this reference was included every person in Ireland occupying any residence under a weekly tenancy. The owners of the property would be at the mercy of these people. The Bill also applied to residences in the country as well as in the towns. The Bill applied not merely to persons with residences in towns, but to every house or shanty on the roadside in any remote part of Ireland, even although the occupier only held on a weekly tenancy. That was the effect of the first clause of this so-called Town Tenants' Bill. Its retrospective operation was unfair. Let him give an illustration of the position in which he would stand under this Bill. He was the fortunate or unfortunate possessor of a house in the City of Dublin, having bought the lease in 1890 for a certain sum of money, equal to a moderate rent, not a rack rent. The lease would expire in 1920. He had calculated whether it was worth his while to spend any money on improving the house, and he came to the conclusion that it would be, and spent about £500 in improvements, knowing perfectly well that in the year 1920 under his contract the house with its improvements would become the property of his landlord. But under this Bill, if he was spared until 1920, he would be entitled to demand from his landlord, as a right, the £500 which he had spent on improvements—not one penny of which he had ever expected to get back, and which he had expended in the full knowledge that as the law then stood the improvements would all go to the landlord. He wanted to know on what principle of fair play as between man and man this Bill could be made applicable to improvements made prior to its passing. He was entirely in favour of the principle that in future contracts, when each party knew what his rights were, the tenant in giving up his holding should be entitled to full compensation for any improvements he had made which added to the letting value of the holding; but it was a different matter when the tenant entered into a contract, and, knowing that he had no right to compensation, deliberately executed improvements to suit himself. Let them take the case of a building lease granted 100 years ago on consideration that the lessee would erect a house on the holding. The house was erected, and the lessee or his representative received a rent of £50 or £60 a year. In 100 years the rent would far more than repay for the expense of the erection of the house, but under this Bill the lessee, or his representative, would be entitled to get from the landlord the full value of the house.

*Mr. CHERRY said if the right hon. Gentleman referred to the Notice Paper he would see that he had put down an Amendment dealing with the very point to which the right hon. Gentleman referred.

*Mr. JAMES CAMPBELL said it was rather a curious thing that the Government had not thought of this Amendment until the Report stage. Again, the right hon. the Attorney-General for Ireland had to admit that he had adopted a Bill which had passed through Committee, without there being inserted a single provision which protected the tenant for life, who might have to pay the whole cost of the improvement out of his own pocket. Did anyone suggest that there was anything peculiar in the condition of Ireland that required this injustice to be done there? Would any hon. Gentleman opposite introduce such a Bill applicable to English towns? The right hon. Gentleman had placed him in a position of great embarrassment, because he was in favour of a Town Tenants' Bill drawn on just and equitable lines, but he was not in favour of a Bill drawn on dishonest and confiscatory lines. He could not believe that a Bill of this kind could ever redound to the advantage of the country or the credit of the nation, and he appealed to the Government to have some regard to the objections entertained against the retrospective character of the Bill. He thought that if this objectionable portion of the clause were got rid of a good deal of time would be saved, but so long as the Bill contained in it this proposal to fix by retrospective legislation the value of any man's property so long would he oppose it with all his strength.

VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk) said the clause seemed to be another instance of the policy of hon. Gentlemen opposite to rob Peter in order to get votes from Paul. The real object of the Bill was to get votes from tenants in Ireland, who ought, however, to be made to abide by the bargains they had made. The excuse of the Government was that there was an analogy between this and the compensation given under the Agricultural Holdings Act. There was, however, this important difference between agricultural holdings and town tenants, that the agricultural tenants received compensation for "unexhausted" improvements, and the word "unexhausted" made all the difference. The only question in the case of agricultural tenants was whether the improvement had been in existence sufficiently long to recoup the tenant for his expenditure. In the cases under consideration, however, the tenants had recouped themselves over and over again, and although he might have so recouped himself it was proposed to give a tenant compensation which his landlord would have to pay when his tenancy expired. To give a man who knew what he was doing compensation for an improvement for which he had recouped himself many times was ridiculous. One effect of the retrospective character of the clause must be to drive rents to a high level, and the more the particular holding was sublet the more the rent would be driven up, because each landlord in turn would have to recoup himself for any outlay. It was not as if the landlord was going to be recouped by the increased letting value of the holding, because he would have to pay the capital value of the improvement, and it would be many years before he was recouped. The provisions of the Bill would operate very hardly upon widows and single ladies who had invested their scanty savings in building properties or land. Another serious objection to the Bill was that it would deter any future building operations and prevent town improvements. A man who had land would think seriously before he let his land for building, when at the end of the term for which he had let it he might be called upon to face a very heavy liability. Instead of letting, he would call upon the building speculator to buy his land from him. This would depress the building trade, and stop landlords from doing anything to improve towns on a large scale. The Select Committee of 1889 said it was difficult to see how a statutory right could be given to compensation for alterations which legally the tenant had not the power to make, but the Government, in face of recommendations of that kind, had adopted this Bill. He would not object to compensation if the consent of the landlord had been obtained, but as it was, he should have the greatest pleasure in voting against the proposal.

MR. CHERRY rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided :—Ayes, 289 ; Noes, 59. (Division List No. 415)

AYES.

Abraham, Wm. (Cork, N.E.)
Ainsworth, John Stirling
Alden, Percy
Allen, A.Acland (Christchurch)
Ambrose, Robert
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A.(Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.

Beaumont, Hn. H. (Eastbourne
Beaumont, Hn. W. C. B. (Hexh'm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, W. (T'w'r Hamlets, S. Geo
Bennett, E. N.
Bethell, Sir J. H. (Essex, Romfrd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Boland, John
Bolton, T. D. (Derbyshire, N.E.)
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brodie, H. C.
Brooke, Stopford
Brunner, J. F. L. (Lancs., Leigh)
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland
Burns, Rt. Hon. John
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Causton, Rt. Hn. Richard Knight
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clancy, John Joseph
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Cogan, Denis J.
Condon, Thomas Joseph
Corbett, C. H. (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Crean, Eugene
Crombie, John William
Crooks, William
Dalziel, James Henry
Davies, Timothy (Fulham)
Delany, William
Dewar, John A. (Inverness-sh.)
Dillon, John
Dobson, Thomas W.
Donelan, Captain A.
Duffy, William J.
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Ferens, T. R.
Ffrench, Peter
Field, William
Flavin, Michael Joseph
Flynn, James Christopher
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gilhooly, James
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Gooch, George Peabody
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Halpin, J.
Hammond, John
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hogan, Michael
Holden, E. Hopkinson
Hope, W. Bateman (Somers't, N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jardine, Sir J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lea, Hugh Cecil (St. Pancras, E
Leese, Sir Joseph F. (Accrington)
Lehmann, R. C.
Lever, W. H. (Cheshire, Wirral)
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J. M. (Falkirk B'ghs)
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles (Donegal, E.
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Killop, W.
Maddison, Frederick
Markham, Arthur Basil
Marks, G. Croydon (Launceston)
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Mooney, J. J.
Morley, Rt. Hon. John
Morrell, Philip
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholson, Charles N. (Doncaster
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W
O'Connor, John (Kildare, N.)
O'Donnell, T. (Kerry, W.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, James (Roscommon, N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W. Monm'h
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee
Robertson, Sir G. Scott (Br'df'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)

Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edw. (Salisbury)
Thomasson, Franklin
Thompson, J.W.H.(Somerset,E
Thorne, William
Torrance, Sir A. M.
Toulmin, George
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke-upon-Trent)
Ward, W.Dudley(Southampton
Wardle, George J.
Wason, John Cathcart(Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Llewelyn(Carmarth'n
Williamson, A.
Wills, Arthur Walters
Wilson, J. H.(Middlesborough)
Wilson, P. W. (St. Pancras, S.)
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

Tellers for the Ayes—Mr. Whiteley and Mr. J. A. Pease,

NOES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Balcarres, Lord
Balfour, Rt.Hn.A.J.(City Lond.
Banbury, Sir Frederick George
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry, N.
Beach, Hn.MichaelHugh Hicks
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cecil, Lord R. (Marylebone, E.)
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Cross, Alexander
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Duncan, Robert (Lanark, Govan
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Gardner, Ernest (Berks, East)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Helmsley, Viscount
Hill, Sir Clement(Shrewsbury)
Hunt, Rowland
Kenyon-Slaney, Rt. Hn. Col. W.
Kimber, Sir Henry
Liddell, Henry
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Rt.Hn.Walter(Dublin,S)
Pease, HerbertPike(Darlington
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Rawlinson, John Frederick Peel
Roberts, S.(Sheffield, Ecclesall)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Smith, F. E.(Liverpool, Walton
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Turnour, Viscount
Walker, Col. W.H.(Lancashire)
Walrond, Hon, Lionel
Wolff, Gustav Wilhelm
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

Tellers for the Noes—Sir Alexander Acland-Hood and Viscount Valentia.

Question put accordingly, "That the words 'Subject to the provisions of this Act' stand part of the Bill."

The House divided:—Ayes, 289; Noes, 58. (Division List No. 416.)

AYES.

Abraham, William (Cork, N.E.)
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland(Christchurch)
Ambrose, Robert
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont, Hn.H.(Eastbourne)
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, W. (T'w'rHamlets,S.Geo
Bennett, E. N.
Bethell, SirJ.H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Boland, John
Bolton, T.D.(Derbyshire, N.E.)
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brodie, H. C.
Brooke, Stopford
Brunner, J.F.L.(Lancs., Leigh)
Bryce, Rt. Hn.James(Aberdeen
Bryce, J.A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Buxton, Rt. Hn. Sydney Chas
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Causton,Rt.Hn.RichardKnight
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clancy, John Joseph
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Cogan, Denis J.
Condon, Thomas Joseph
Corbett, C.H.(Sussex,EGrinst'd
Corbett, T. L. (Down, North)
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Crean, Eugene
Cremer, William Randal

Crombie, John William
Crooks, William
Cross, Alexander
Dalziel, James Henry
Davies, Timothy (Fulham)
Delany, William
Dewar, John A. (Inverness-sh)
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Ferens, T. R.
Ffrench, Peter
Field, William
Fiennes, Hon. Eustace
Flavin, Michael Joseph
Flynn, James Christopher
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gilhooly, James
Ginnell, L.
Gladstone,Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Gooch, George Peabody
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Gwynn, Stephen Lucius
Haldane Rt. Hon. Richard B.
Halpin, J.
Hammond, John
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Hemmerde, Edward George
Henderson, Arthur (Durham
Henderson, J.M.(Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hogan, Michael
Holden, E. Hopkinson
Hope, W.Bateman(Somerset,N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jardine, Sir J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lea, Hugh Cecil(St.Pancras,E.
Leese, SirJosephF.(Accrington)
Lehmann, R. C.
Lever, W. H. (Cheshire,Wirral)
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(FalkirkB'ghs
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down,S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Killop, W.
Maddison, Frederick
Markham, Arthur Basil
Marks, G.Croydon(Launceston
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Mooney, J. J.
Morley, Rt. Hon. John
Morrell, Philip
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, John (Kildare, N.)
O'Donnell, T. (Kerry, W.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, James(Roscommon,N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Pearce, Robert (Staffs, Leek)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thos. (W. Monm'th)
Richards, T.F.(Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.
Shipman, Dr. John G.
Silcock, Thomas Gall
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn.A.Lyulph(Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Theodore C. (Radcliffe)
Thomasson, Franklin
Thompson, J.W.H.(Somerset E
Thorne, William
Torrance, Sir A. M.
Toulmin, George
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward, W.Dudley(Southampt'n
Wardle, George J.
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (Kork, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)

Williams, Llewelyn(Carmarthn
Williamson, A.
Wills, Arthur Walters
Wilson, J. H. (Middlesborough)
Wilson, P. W. (St. Pancras, S.)
Wood, T. M'Kinnon)
Young, Samuel
Yoxall, James Henry

Tellers for the Ayes—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood, Rt.Hn.SirAlex,F
Anstruther-Gray, Major
Arkwright John Stanhope
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Baring, Hon. Guy (Winchester)
Beach, Hn.Michael HughHicks
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Lord R. (Marylebone, E.)
Cochrane, Hon. Thos. H. A. E.
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craik, Sir Henry
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Duncan, Robt. (Lanark, Govan
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Gardner, Ernest (Berks, East)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Helmsley, Viscount
Hill, Sir Clement (Shrewsbury)
Houston, Robert Paterson
Kenyon-Slaney, Rt. Hn. Col. W
Keswick, William
Kimber, Sir Henry
Liddell, Henry
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Rt.Hn.Walter(Dublin,S.
Pease, HerbertPike(Darlington
Powell, Sir Francis Sharp
Rasch, Sir Frederick Carne
Rawlinson, JohnFrederickPeel
Roberts, S.(Sheffield,Ecclesall)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Smith, F.E.(Liverpool,Walton)
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Turnour, Viscount
Valentia, Viscount
Walker, Col. W. H.(Lancashire
Walrond, Hon. Lionel
Wolff, Gustav Wilhelm
Wortley, Rt.Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

Tellers for the Noes—Sir Frederick Banbury and Viscount Castlereagh.

Viscount CASTLEREAGH on a point of order, asked Mr. Speaker's ruling whether, after an hon. Member had passed the clerk and had his name marked off he was entitled to turn back past the turnstile.

*Mr. SPEAKER said the hon. Member could not be compelled to vote if he did not choose to do so.

Sir F. BANBURY: What about the hon. Member's name if it has been recorded by the clerk ?

Mr.GEORGE WHITELEY (Yorkshire, W.R., Pudsey) said he thought the hon. Member in question only came so far as the clerk and that his name was not ticked.

*Mr. SPEAKER said that if an hon. Member found that after having had his vote recorded by the clerks he did not want to vote he should ask to have the vote taken off. What counted in this House was the numbers as declared by the tellers.

Lord R. CECIL (Marylebone, E.) moved to insert in the clause words making the tenant's right to compensation subject "to the terms of his tenancy" as well as to the provisions of the Bill. He said that the Attorney-General for Ireland had explained on the last Amendment that this clause was in no way inconsistent with contract, and if the right hon. and learned Gentleman held that view he would be glad to make his meaning clear by accepting some such words as were contained in this Amendment. It was a remarkable thing about the framing of this Bill that apparently in future tenancies the question whether compensation for any improvement would have to be paid or not would entirely depend upon the contracts entered into between landlord and tenant. It would be quite open to the landlord and the tenant to agree as to any future tenancy that no improvement should be paid for by the landlord. That appeared to be the effect of the Bill, whatever the intention might be. It would be quite possible for the landlord and tenant to agree not to make any improvement and that would be inserted in the lease, and it was quite plain that no compensation would then be payable in respect of any improvement because it would be made in contravention of a contract in writing, according to subsection (3) of Section 2. All that had to be done in respect of future contracts was to make the contract in writing in such a way as to preclude the possibility of improvements being made, and then a person would not be subject to the provisions of the Act. In regard to existing contracts, however, for some mysterious reason, a wholly different principle prevailed, and the landlord was to be compelled to pay for an improvement executed by the tenant. This was an entirely novel and indefensible proposal. He could understand its being said that two parties not being on equal terms were not to evade an Act of Parliament by making any agreement in contravention of its terms. There were cases in English law in which that principle had been recognised. The principle had been extended very widely recently to cases where people were really on equal terms, though Parliament thought otherwise. While he could quite understand Parliament arriving at the decision that in certain special cases it was desirable to say that certain contracts should not be entered into, this was quite a different proposal. It laid down the principle that in spite of any contract which had been already entered into, and irrespective of time, amount, and other circumstances, the landlord was to pay compensation for tenants' improvements. He did not think the Act dealing with agricultural holdings could be regarded as a precedent for this course. No one would pretend that there was anything which would justify existing contracts between a town tenant and his landlord being absolutely disregarded, and that if the tenant or his predecessors fifty or 100 years before had executed any improvement he was to be entitled to compensation on quitting the holding. Another matter to be considered was that it was commonly the case for the town tenant to be better off than his landlord, so that it was conceivable that, in cases where the landlord was poorer than his tenant, he might be ruined by claims for compensation for improvements far in excess of any he contemplated or would be able to pay. The Attorney-General for Ireland was really in error upon this point, because it was a matter of contract now as to who had to pay for any improvements made. This was sometimes expressed, but it was often implied, but under this clause they were going to break up existing contracts. That was a very serious principle for the House to adopt. Very few hon. Members opposite appeared to have read the Bill, and as so few of them were present he did not see how they were going to arrive at a true and statesmanlike decision upon this important question if they did not listen to the argument. It was a very big matter, because in combination with hon. Members below the gangway they were legislating to establish a precedent which it was absurd to say was to be confined to Ireland. Were they going to lay it down that the contracts between landlord and tenant in towns were made under such conditions that they should be treated as being of no value at all? Was the legislature going to make a fresh contract for existing contracts which had been arrived at by men who were able to manage their own affairs, and who, before arriving at their decision, had had ample advice from those who were skilled in such matters? He begged to move his Amendment.

*MR. CLAVELL SALTER said he desired to second the Amendment. In his view it was perfectly just that the landlord should be called upon to pay for all unexhausted improvements which he enjoyed. The Amendment did not challenge that principle, but it proposed that if men had chosen to contract otherwise, their contract should not be affected by this clause. In the event of the Bill's becoming law, it would probably be a common clause in leases that no improvement should be made without the consent of the landlord in writing. The Amendment must be considered in connection with Clause 9, upon which, to a considerable extent, it infringed. If the present Amendment should not be accepted he would propose an Amendment to the later clause to allow the parties to come to an agreement. Under the Bill it would be impossible for two parties who were ready to enter into a contract to obtain the assent of the Court at the outset, because the Court must be asked at the conclusion of the tenancy, in order to ascertain whether there had been any undue pressure exercised. If the Amendment did not meet with the approval of the House he proposed to attempt to arrive at the same result by introducing the Amendment he had suggested to Clause 9.

Amendment proposed to the Bill—

"In page 1, line 6, after the word 'Act,' to insert the words "and to the terms of his tenancy."—(*Lord R. Cecil.*)

Question proposed, "That those words be there inserted in the Bill."

MR. BRYCE thought the Amendment would be more appropriate to sub-section (3) of Clause 2 or to Clause 9. He did not quite understand the present Amendment, but if it meant that compensation should be excluded unless there was a contract on the subject, it could not be accepted, because the object of the clause was to declare the right to claim compensation under conditions which safeguarded the landlord's interest where the contract made no stipulation and where, therefore, there was no breaking of contract. The noble Lord really meant by his Amendment that there was to be no such thing as compensation unless it was specially provided for, and they might as well drop the Bill as accept that principle. The Bill was intended to enable tenants to claim compensation where it was not expressly provided for. In the enormous majority of cases no such provision was made in the contracts, because the premises were let from year to year on certain terms as to rent, and nothing was said as to improvements or compensation. They were not proposing to break existing contracts, but they were adding to all tenancies a general legal condition which the Legislature had a right to impose. They were doing this because they thought it was only common justice, and because they thought that if the act of the tenant had given to the landlord something which he would not otherwise have had, and which was not in existence when the tenancy was created, the landlord ought to compensate him for it. The noble Lord had said that some landlords were poor and others were rich, but that had nothing whatever to do with the justice of the case. They had carefully guarded against any abuse of this right, because in Clause 1 it was provided that any benefit the tenant might receive from the landlord expressly or impliedly in regard to improvements made, was to be considered when the claim for compensation was put forward. They had also provided that the improvements must be suitable to the character of the holding, and such as added to the letting value of the holding. He hoped the Amendment would be withdrawn.

MR. J. WARD (Stoke-on-Trent) said he desired to give several reasons why the Amendment of the noble Lord should be rejected. As one who had assisted in the development of estates and had been consulted as to the manner in which they should be laid out, he had often found it necessary to see the terms upon which certain leases had been given, and he had no hesitation in saying that none of the things to which the noble Lord referred existed to-day. The landlord's right to put restrictions in leases would not be interfered with by this Bill. When landlords in England sold land they almost always insisted on an enormous number of restrictive regulations as to the way in which their estates should be laid out, as to the kind of houses that should be built, and even where they sold land outright he had known it more than once to be stipulated that houses not below or above a certain value should be erected. The contracts of sale stated that the plans had to be submitted to the agent of the landlord and inspected, and a surveyor representing the landlord attended at the buildings during their erection to see that everything in the agreement was being carried out by the builder. Under these circumstances they need not anticipate that severer restrictions than those prevailing at the present time would be imposed even when this Bill became law. He would have no fear of the Bill adding to the difficulty of estate development so far as England was concerned if it were to apply to England, and he dared say that the circumstances were very similar in Ireland. There was such a thing as taking a house on a road or street which was not at present well developed, but which later on by virtue of trams, and a hundred and one other things, became much more valuable. If a tenant without any reference whatever to the landlord could proceed to alter the whole structure of the place and then at the end of the tenancy claim for improvements, he thought that possibly that might be stretching the thing beyond the intention of the Bill. But he understood from reading the different clauses of the Bill that the landlord would have to be consulted with regard to the improvements. Therefore, if a tenant converted a dwelling-house into a shop in defiance of the terms of the lease and without the landlord's consent, he would not be able to claim compensation. If, however, he obtained the landlord's consent he should be entitled to a fair proportion of the value of the improvement when the lease expired.

SIR E. CARSON said he found it difficult to say how far this Bill affected existing contracts, although he had read the Bill he did not know how often. He really did not know what the view of the Government was as to the way the Bill might affect existing contracts. He was not talking of future contracts at all, because he thought that the parties to future contracts would be very well able to take care of themselves. The landlord would act with his eyes open, and he was not very much concerned as to what the effect of the clause would be on future lettings. The Chief Secretary had stated that they were adding a term to existing contracts. He held that that was not what they were doing. They were taking away a term. At present there was a term implied by the law that the tenant had no claim upon the landlord when the lease was over. Before the passing of this Bill the tenant could not sue the landlord on such a contract, but after it became law he would be able to do so. Did anybody tell him that a section that did this was not interfering with existing contracts? In his opinion it was clear that the clause would break existing contracts, because at the termination of the lease it would give the tenant a right of action against the landlord that he did not now possess. He admitted that aggravating restrictions were sometimes put in leases, but that would not be remedied by this Bill. If a tenant desired to convert a dwelling-house into a shop, the landlord would hesitate to give his consent if he knew that at the expiration of the tenancy he had to pay for it. The shop might be thrown back upon his hands, and the landlord might have to pay for that which was of great advantage to the tenant, but of no advantage to himself. He submitted to the right hon. the Attorney-General for Ireland that it would be well if he accepted the Amendment of the noble Lord.

*MR. CHERRY said that he had an Amendment on the Paper which would meet the objections of the right hon. and learned Gentlemen. He proposed to insert at the end of Clause 2 the words, "A tenant shall not be entitled to any compensation in respect of any improvement made whether before or after the passing of this Act in pursuance of a contract entered into for valuable consideration." That provided exactly for the case presented by the right hon. Gentleman. The lease in itself was a valuable consideration; a man was bound to keep his holding in the same state of repair as he got it; but if he repaired it in such a way at his own expense as to improve the property then he should get compensation. The Amendment of the noble Lord was in his opinion entirely unnecessary.

*MR. JAMES CAMPBELL said that if the right hon. Gentleman's view of Irish law was correct, he was not surprised that English Members knew nothing about Ireland. The Irish law in this matter was the same as the English law. If he took a house with a covenant to put it in repair he was bound to put it in repair.

MR. FIELD (Dublin, St. Patrick): The law is wrong then.

*MR. JAMES CAMPBELL said it was common sense. It amazed him that the Attorney-General for Ireland told him that under Irish law——

*MR. CHERRY said he had stated what he believed to be the law. There was a great distinction between a covenant to put in repair, and a covenant to keep in repair. If a man entered into a covenant to put in repair he was bound to do it, but if he undertook to keep in repair he was only bound to keep the holding in the condition in which he got it.

*MR. JAMES CAMPBELL said that the express contrary had been decided by the Judges in this country half a century ago.

*MR. CHERRY: What is the case?

*MR. JAMES CAMPBELL said that any law student would know that. The hon. Member for Dublin County, N., would appreciate what he said when he stated that it was not only law but common sense.

MR. CLANCY (Dublin County, N.) said it was neither one nor the other.

*MR. JAMES CAMPBELL said he was not surprised, after what the right hon. Gentleman had stated as to his idea of the law, to find this Bill in such a hopeless confusion and tangle. The right hon. Gentleman did not understand the Bill or anything connected with it. He had told the House that a lease in itself was a valuable consideration; but surely the right hon. Gentleman did not mean to say that every tenant who held a lease would be excluded from making a claim for compensation under the Bill. If he did intend to say so, no more nonsensical statement had been made in the House, and it only shewed that the right hon. Gentleman did not understand the Bill. He should like to have some explanation of what sub-section (3) of Clause 2 meant. It said that a tenant should not be entitled to any compensation in respect of any improvement made either before or after the passing of this Act, in contravention of a contract in writing not to make the improvement. He asked the attention of the House to the fact that the words were "the improvement." It was a very nice and subtle question whether a case in which there was a general clause in a lease, whereby the tenant contracted not to make any improvement would be hit by that at all. He did not believe it would, because that sub-clause was intended to meet the case of where a landlord did not want a particular improvment and got a clause inserted in the lease that the tenant should not make it, and that if he did, he should not claim compensation. Therefore, a general clause in regard to improvements would not come within that subsection. He undertook to say, however, that most hon. Gentlemen reading that clause would think that it did, but he could assure hon. Members that he doubted very much whether that was the true construction or the intended construction. But supposing it was intended, and there was a general clause in a lease that a man should not claim for any improvement, it would be inconsistent with Clause 9 of the Bill, which provided that any contract made by a tenant whether before or after the passing of the Act by virtue of which he would be deprived of his right to obtain compensation under this Act should be null and void. The fact was it was perfectly impossible to understand the Bill, but it would be still more confusing if the Amendment of which the right hon. and learned Member had given notice were accepted. If the new clause of the right hon. Gentleman was carried what would be the effect on Clause 9? Under it it would be provided that a tenant should not be entitled to any compensation in respect of any improvement made in pursuance of a contract entered into for valuable consideration. Supposing that was carried, how could it be reconciled with Clause 9 which said that any contract by which the tenant agreed not to make a claim under this Act should be null and void? If that were agreed to the Government would insert a clause in direct contravention of their Amendment and in contravention to sub-clauses (2) and (3). The Bill was quite unintelligible as it stood and would be a perfect gold mine to members of his profession. It would keep them working for centuries to come, and it would keep the Courts working. Thousands of pounds would be spent by landlords and tenants in endeavouring to find out what the Government meant by a single line of the Bill. He was afraid he should be removed from the scene by the time this gold mine in the law Courts came to an end—that was if ever the Bill became law. In his judgment, however, the Government were not sincere over the Bill, and it was obvious that they were riding for a fall.

*MR. DEPUTY SPEAKER said the right hon. Gentleman was speaking about many things other than the Amendment. He had a right to reply to the defence set up against this Amendment by the Attorney-General, but he was now speaking about the Bill, which was clearly out of order.

*MR. JAMES CAMPBELL said he was speaking to the Amendment and the Amendment alone.

*MR. DEPUTY SPEAKER said the right hon. Gentleman was speaking about the Bill and the gold mine it would prove to the lawyers.

*MR. JAMES CAMPBELL said he was referring to the obscurity which the noble Lord sought to prevent, and was referring to the litigation which would result from the passing of this clause as it stood. He was, he submitted, perfectly in order, because the object of the Amendment was as far as possible to give some intelligent meaning to what was to be found in Clause 1. He submitted that the insertion of these words was germane to the whole Bill because they governed the whole Bill, and that was his justification for referring to the whole Bill. If the terms of the Amendment were looked at it would be seen that they were intended to cover the whole Bill, because there they would provide that, notwithstanding anything which might be in the Bill, the existing terms of the contract of tenancy were not to be interfered with. Therefore the very language of the Amendment was germane to the whole Bill, although, of course, he did not intend to deal with it excepting in so far as its provisions were important having reference to the Amendment. Coming back to these particular words, however, he ventured to think that the right hon. Gentleman opposite himself would see that this vista of litigation with which they were threatened by the ambiguity of the clause should be obviously met by some such words as those proposed. Many suggestions of his own would be found embodied in the Bill.

MR. J. WARD: Does that account for its contradictions?

*MR. JAMES CAMPBELL replied in the negative, and said he had sought to amend the Bill in other directions, but was defeated in regard to several of his Amendments. His contention was that the new Amendment which the Attorney-General for Ireland promised them could not be reconciled with Clause 9.

MR. CLANCY inquired if the right hon. Gentleman was now in order.

*MR. DEPUTY SPEAKER said the right hon. Gentleman appeared to be dealing with these matters at considerable length, but he was in order in alluding to the defence which was set up with regard to this particular Amendment. He thought, however, the right hon. Gentleman had replied at considerable length, and that what he was saying now was to a considerable extent a repetition of what he had said before.

*MR. JAMES CAMPBELL said there were some people who thought that one could not say a good thing too often, but he was not one of those, and would conclude by saying that if they took the Amendment and put it side by side with Sub-clauses (2) and (3), and then put it side by side with Section 9, it was impossible to reconcile the provisions of the Bill. It was for that reason that he put it to the right hon. Gentleman that it would be right and fair to accept the Amendment of the noble Lord in order to make the matter clear.

VISCOUNT TURNOUR (Sussex, Horsham), replying to the hon. Member for Stoke, said it was important that the landlords should have power to impose some restriction. The hon. Member had objected that the landlords insisted upon a certain breadth of road as regarded building societies, but it seemed to him important that they should do so, otherwise the road might be very narrow. He thought all hon. Members would agree with him when he said that this session there had been too many points left to be settled in the future. If the Government had settled the Amendments to the Plural Voting Bill as they were moved, the House would not have been told afterwards that that Bill could not be brought up for Report, because the Government had not had time to put the necessary Amendments on the Paper. He thought the Government should deal with this Amendment, and not leave it to a later sitting. The Bill was difficult to understand now, and it would not be made easier to deal with by postponing the consideration of these matters to a later stage. He appealed to the Government to allow the Amendment to be debated now, and not to postpone it and place themselves in the same difficulty as that in which they found themselves with regard to the Plural Voting Bill.

MR. CRAIG said it was impossible to understand what was meant by sub-section (2) of Section 1 of this Bill and the Amendment before the House. He appealed to the hon. Member for St.

Patrick's Division, whose speeches were always as picturesque as his appearance, and the hon. and learned Member for North Dublin, who had introduced this Bill, to give some explanation of its provisions. A great deal of time had been wasted in speeches on one side and the other which might have been saved if the only hon. Gentlemen who were able to do so had explained the Bill to the House. He was utterly unable to reconcile the various clauses of the Bill.

MR. FIELD (Dublin, St. Patrick): We cannot provide you with intelligence.

MR. CRAIG said the clauses were quite irreconcilable, and he appealed to the hon. Gentlemen to let in a little light on the subject.

MR. T. L. CORBETT (Down, N.) said, as one in hearty sympathy with the Bill, and as one who had voted with the Government in the last division against his own Party, he would like to know what the effect of the Amendment would be. He joined in all sincerity in the appeal made by his hon. friend to those who were responsible for the Bill. He desired to know what the effect of the Amendment would be in dealing with the retrospective aspect of the Bill. He also appealed to the hon. and learned Attorney-General to make clear what the effect of these words would be.

Question put.

The House divided:—Ayes, 58; Noes, 272. (Division List No. 417.)

AYES.

Acland-Hood, Rt. Hn. Sir Alex F.
Anstruther-Gray, Major
Arkwright, John Stanhope
Balcarres, Lord
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry, N.)
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Lord R. (Marylebone, E.)
Coates, E. Feetham (Lewisham)
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craik, Sir Henry
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Harvey
Duncan, Robert (Lanark, Govan
Fell, Arthur
Fetherstonhaugh, Godfrey
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Haddock, George R.
Hamilton, Marquess of
Helmsley, Viscount
Hervey, F.W.F. (Bury S. Edmds
Houston, Robert Paterson
Hunt, Rowland
Keswick, William
Kimber, Sir Henry
Liddell, Henry
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Col. Chas. W. (Evesham)
Mason, James F. (Windsor)
Pease, Herbert Pike (Darlingt'n
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Roberts, S. (Sheffield, Ecclesall
Rutherford, W. W. (Liverpool)
Smith, F.E. (Liverpool, Walton
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell- (Lanark)
Turnour, Viscount
Valentia, Viscount
Walker, Col. W. H. (Lancashire)
Walrond, Hon. Lionel
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE AYES—Mr. Salter and Mr. Rawlinson.

NOES.

Abraham, Wm. (Cork, N.E.)
Acland, Francis Dyke
Ainsworth, John Stirling
Allen, A. Acland (Christchurch)
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. W. C. B. (Hexhm
Beck, A. Cecil
Bell, Richard
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romfrd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Boland, John
Bolton, T.D. (Derbyshire, N.E.)
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brooke, Stopford
Brunner, J.F.L. (Lancs., Leigh)
Bryce, Rt. Hn. James (Aberdeen
Bryce, J.A. (Inverness Burghs)
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Cherry, Rt. Hon. R. R.
Clancy, John Joseph
Cleland, J. W.

Clough, William
Cobbold, Felix Thornley
Cogan, Denis J.
Condon, Thomas Joseph
Corbett, C.H.(Sussex E.Grints'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Crooks, William
Cross, Alexander
Dalziel, James Henry
Davies, W. Howell (Bristol, S.)
Delany, William
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Elibank, Master of
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Ferens, T. R.
Ffrench, Peter
Field, William
Fiennes, Hon. Eustace
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Halpin, J.
Hammond, John
Hardie, J.Keir(Merthyr Tydvil
Hardy, George A. (Suffolk)
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hogan, Michael
Hooper, A. G.
Hope, W.Bateman(Somerset,N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey

Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jardine, Sir J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonsh.)
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lea, Hugh Cecil(St.Pancras,E.)
Leese, SirJosephF.(Accrington
Lehmann, R. C.
Lever, A. Levy(Essex,Harwich
Lever, W. H. (Cheshire, Wirral)
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lynch, H. B.
Macdonald,J.M.(Falkirk B'ghs)
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Killop, W.
M'Micking, Major G.
Maddison, Frederick
Marks,G.Croydon(Launceston)
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Mooney, J. J.
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Myer, Horatio
Napier, T. B.
Nicholson,Chas.N.(Doncaster)
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien,Kendal(TipperaryMid)
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow, W.
O'Connor, John (Kildare, N.)
O'Donnell, T. (Kerry, W.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, James(Roscommon,N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)

Pearce, Robert (Staffs. Leek)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards, Thos. (W. Monm'th)
Richards, T. F. (Wolverh'mptn
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson,Rt.Hn. E. (Dundee)
Robertson, J. M. (Tyneside)
Robinson, S.
Rogers, F. E. Newman
Rose, Charles Day
Rutherford, V. H. (Brentford)
Samuel, Herbert L.(Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A.H.(Ashton under Lyne
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shipman, Dr. John G.
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Taylor, Theodore C. (Radcliffe)
Tennant, SirEdward(Salisbury
Thomasson, Franklin
Thompson, J.W.H.(Somerset,E
Thorne, William
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Wallace, Robert
Walters, John Tudor
Walton, Joseph (Barnsley)
Ward, John(Stoke-upon-Trent)
Ward, W.Dudley(Southampton
Wason, JohnCathcart(Orkney)
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williams, Llewelyn(Carmarthn

Williamson, A.
Wills, Arthur Walters
Wilson, J. H. (Middlesborough)
Wilson, J.W.(Worcestersh., N.)
Wilson, P. W. (St. Pancras, S.)
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

*MR. JAMES CAMPBELL moved to insert after "applies" the words, "And held under a contract of tenancy made after the date of the passing of this Act." The Amendment raised in a very concise form the question at issue with regard to this first clause, namely, its retrospective effect, because the Amendment would exclude from the operation of the Bill all contracts of tenancy made prior to the date of the passing of the Act. The Bill was retrospective in two ways, applying not only to existing tenancies, but to improvements made before the passing of the Act. His Amendment would restrict the operation of the Bill to tenancies created after the date of passing. If he got any sort of assurance from the Government that they would restrict the operations of the Bill to improvements made under such tenancies after the date of the passing of the Act he would not press his Amendment. If he received an assurance that the next Amendment standing in his name would be favourably received he would be content, because the effect of that Amendment would be that existing contracts would come within the Bill, but only improvements made after the passing of the Act would be the subject of compensation. That was reasonable, fair, and in every sense just. As the Bill stood the claim for compensation might arise in respect to improvements made one hundred years before, but in regard to future improvements the tenant was required to give notice and the landlord had the right to make them himself, or he might dispute that the improvement was required and bring the tenant to court to have the question ascertained. Even then the court had no authority to allow the improvement to be made unless they considered it would add to the letting value of the holding, and otherwise was a desirable improvement. All that was given the go-bye were past improvements, because in those cases the landlord had no chance of having the question settled whether they were suitable to the holding or whether he would do them himself. Surely if the Government recognised this principle in the one case, in justice they should allow its application to past improvements of which the landlord had no notice. If the House thought his Amendment too drastic, and that it would meet the demands of justice to limit the operations of the Bill to improvements made after the passing of the Act, he would be prepared to fall in with that view, but unless he received some assurance that his suggestion was likely to receive favourable consideration he would press the Amendment.

Amendment proposed to the Bill—

"In page 1, line 7, after the word 'applies,' to insert the words 'and held under a contract of tenancy made after the date of the passing of this Act'"—(*Mr. Campbell.*)

Question proposed, "That the words proposed be there inserted in the Bill."

*MR. COURTHOPE (Sussex, Rye) hoped the House would get some reply from the Government on this subject. It was extraordinary that the Government should take no notice of the speech just made. It seemed to be assumed by the majority of Members that the landlord was necessarily a great magnate, whereas very often he was a small builder. In many cases the funds of building societies had been vested in dwelling houses in towns both in England and Ireland. He was informed also that funds of trade unions were to a considerable extent invested in house property, and he would like hon. Gentlemen to reflect as to the class of person with whom they were dealing before making a clause of this kind retrospective. The Bill would not be confined by any means to the class of landlord whom some hon. Members so much disliked. He was aware of the provision in the Bill that only those improvements should give rise to compensation which had increased the letting value of a building, but an improvement might very likely increase the letting value and yet very seriously decrease the letting probability of a building. From what he knew of Irishmen he considered them to be as competent to look after their own interests in entering into contracts or agreements for tenancies as people in other parts of the kingdom, and he thought that these contracts or agreements which they had entered into with their eyes open should be excluded from a Bill of this kind. Personally he would not complain at all of these provisions as to compensation for improvements in the future, but it was most unjust to make the compensation retrospective, and would be a great hardship upon many individuals who were totally unable to bear the expense of compensation.

MR. BRYCE said the reason he did not rise before to answer the mover of the Amendment was that he understood the right hon. and learned Gentleman to rely on the arguments that had been previously advanced, and the Government had equal reason to rely on their arguments advanced earlier in the evening. It was not a new departure to allow Bills of this character to be retrospective. There were several precedents. The first was the Act of 1870. Then there was the Act of 1881, and, although much had been said against it, everyone would admit that it had been a great blessing to Ireland. In 1887 a Tory Government actually broke leases which Mr. Gladstone had refused to do a few years earlier. In 1891 a Conservative Government broke down perpetual leases. There was a strong weight of precedent in favour of giving this Bill a retrospective character. There was a great similarity between the hardship suffered previously by the agricultural tenant and that suffered by the town tenant. There were many cases of hardship in Ireland to-day where tenants were being turned out and getting no compensation for their improvements. It was in respect of these cases that the Bill ought to be retrospective. Although he did not deny that retrospective legislation was generally undesirable, yet in this case it was the juster course. The Government had guarded this very carefully by providing that nothing should be computed except what added to the letting value of the holding, and by other safeguards in the Bill. That being so, and the matter being in the hands of County Court Judges, who were not likely to give extravagant compensation, he thought the House might safely trust the Act to work with justice and fairness to the tenant and with no hardship to the landlord.

MR. WALTER LONG said he was immensely surprised at the action of the Chief Secretary. The right hon. Gentleman told the House that he did not reply to the remarks of his right hon. and learned friend, because he had already made his speech on the subject. He ventured to say however, that not a word of the important declaration of policy which the right hon. Gentleman had just delivered had been addressed by him to the House earlier in the evening. The right hon. Gentleman had stated that His Majesty's Government were prepared to make this measure retrospective and that they based their justification for their action upon the precedents to which the right hon. Gentleman had referred. He submitted that no precedent could be established for legislation in connection with what the Government called town tenants—though there was no definition of town tenants in the Bill—on the basis of legislation dealing with agricultural holdings. There was the fundamental difference that agricultural tenancies were held at rack-rent, whereas town tenancies were conveyed to the tenant at a certain rent on the understanding that anything he did to the holding must be at his own expense, and at the termination of the tenancy the landlord would reap the benefit. The right hon. Gentleman had made the most interesting and most important contribution that had yet been made to the debate. There had been no statement from the Chief Secretary or the Attorney-General for Ireland on the Second Reading or in Committee upstairs which in any way conformed to the statement just made that this legislation was to be made retrospective, and that the moment the Bill became operative a quitting tenant was to get a present from his landlord of the value of the improvements. That was a remarkable change in the policy of the Government. This was not a Government Bill at all; it was a Bill that had been taken up by the Government and the House had only discovered their policy with regard to it as Amendment after Amendment was moved. There was nothing in Grand Committee to give the smallest indication that they regarded this Bill with so much favour that when it came down they would adopt it as their own. The declaration which had been made by the Government was one of vital importance. He believed there was room for amendment in regard to the law connected with tenancies other than agricultural. The question had assumed different proportions in Ireland from those which it had assumed in England. The House could not, however, alter the law in Ireland in regard to matters of principle without being committed to alter the law in England. He submitted that every word which the right hon. Gentleman said at the conclusion of his speech applied to England. There were cases in which a man added to the value of his house or premises, and at the time of giving up the tenancy he got nothing for it. He fancied that many Members of this House had occupied houses where they had added to the value and where they had got nothing at all on leaving. It was natural that a man in that position should be very glad if somebody came and said "I will give you what you have spent," but an honest man who had entered into a bargain with open eyes would say that whatever changes might be made in the law for the future he was bound for the present by his contract with his landlord. Of course if Parliament considered that the tenant in this condition was unfairly treated and ought to be recouped by the country, that was another matter, but the Government were recouping these tenants at the expense of the landlords. At the last moment the Government had announced that they proposed to make this Bill retrospective. They must take the full responsibility for what they were doing, and could not shelter themselves behind the proceeding of a Government whose action in no way justified the action they were taking, and which could not justly or honestly be taken as a parallel for the decision at which the Government had arrived.

MR. CHARLES CRAIG said the Chief Secretary had informed them that in making the Bill retrospective the Government were following the precedent of the Land Acts of 1870, 1881, 1887, and 1891. He should have thought that the right hon. Gentleman knew that that legislation dealt entirely with agricultural land, the tenure of which was different in every possible respect from that in connection with town property. The chief point about the Acts of 1870 and 1881 was that they confirmed by statute what was already the custom in a large part of the country. They had in Ireland an evil system of dual ownership which had existed long prior to 1870. After the Act of 1870 was passed the others logically followed. The right hon. Gentleman had made a point of the fact that the 1887 Act actually broke leases. That was inevitable in view of the legislation which had been passed before. The Act of 1903 put an end to that absurd system of land tenure. There was no parallel whatever between that system of agricultural land tenure and the tenure of town tenants. He was informed that it was often advanced against the early Land Acts that the effect would be that at some future time the same treatment would be applied to town tenancies, and it was invariably replied that that was not so because the two systems were so absolutely different that what was applicable to the one was in no way applicable to the other. The right hon. Gentleman had said that the system of town tenure in Ireland was different from that in England. He controverted that statement. The system was exactly the same as in England. There were a considerable number of towns in Ireland where the tenants had suffered under very considerable grievances. But was that confined altogether to Ireland? The conditions were exactly the same in England where they had poor or selfish landlords. Some landlords kept up their property in a greater state of efficiency than others, but tenants in large as well as small towns were quite capable of taking care of themselves. The strongest argument that could be adduced against the retrospective action of the measure was that tenants who intended to make improvements on their holdings would not pay as much rent as they otherwise would. He admitted that there were cases of hardship, but in large towns where there was freedom of contract and more shops and warehouses than tenants for them, the tenants could hardly be treated badly by the landlords. He maintained that this section was contrary to the dictates of common sense and common justice, and he hoped that when the Attorney-General for Ireland came to reply to the speeches which came from that side of the House, he would hold out some hope of a possibility of an arrangement being come to and Amendments being accepted. Owners of property on the opposite Benches must know that if this Bill passed for Ireland it was inevitable that a similar Bill would be passed for England. Why should they in Ireland be made the subjects for experimental legislation of this kind? It seemed to him that such revolutionary legislation as was proposed by this Bill should be applied first to England and then to Ireland.

*MR. FIELD said he had no intention of playing the game of their opponents by taking up the time of the House for the purpose of preventing the Bill from passing. The system of terminable leaseholds as it obtained in this country enabled the ground holders to confiscate the property which was created by the tenant. It would not be tolerated by any civilised common sense community. As a matter of fact, it was not tolerated in any other country. It was unknown in either Turkey or Russia or in any of the Continental countries. It had been tolerated in this country so long because the majority of this House had been ground holders, otherwise miscalled landlords. Regarding what the hon. Member for South Antrim had said, his reply was that Irishmen always were in favour of progressive legislation and what Ireland did to-day England had to do to-morrow. The hon. Member had said that the circumstances were alike in England and Ireland, but they were entirely different. In England they had no Lord Clanricarde who depopulated a district and who boasted about returning his grey mare for a constituency. But what had occurred since then? [Laughter.] It was not a matter for laughter, because if a Government had any function, the primary duty of the Government was the safety of people, and if the people disappeared they did not want any Government. The old Romans said *salus populi lex suprema*—the safety of the people was the supreme law, but apparently right hon. Gentlemen who sat on the front Tory Bench regarded the disappearance of the people of Ireland as the supreme law in this House. What happened at Loughrea, where the number of tenants formerly was 8,000, whereas now they only numbered 2,000, and whole streets were derelict? How did that come about? Because the town tenants had no legal rights in their holdings. It appeared to him that right hon. and learned Members delighted to make in that House speeches which they would not make before their constituents. His right hon. friend the Member for South Dublin, when this matter was being discussed in Kingstown, admitted that the town tenants had a grievance. [MR. LONG: "Hear hear."] Then why did not his right hon. friend support them that evening? He wanted the right hon. Gentleman to meet him upon a platform in Ireland and discuss the matter.

MR. WALTER LONG said that he had stated in the House that night exactly what he said at Kingstown. As to the invitation of the hon. Member perhaps he would allow him to consider it.

*MR. FIELD was afraid that his right hon. friend was adopting a very red-tape form of Answer in asking for time for consideration. They knew what that meant. He was not going to play the game of obstruction which was being played by their opponents to prevent the Bill passing. He hoped other hon. Members would discuss the Bill briefly, and allow them to get it through, and if determined obstruction was carried on by any section of the House, he suggested the closure would be moved. He also trusted that a large majority of the House would vote against this particular Amendment, and so enable them to get the Bill through with fair and honest discussions.

SIR E. CARSON (who was received with cries of "Divide") hoped hon. Members opposite would show a little patience, particularly as they on that side were well aware that they knew nothing whatever about this question. It was always a convenient thing for people who wanted a Bill to pass to say "Why argue about it, when we have a majority of three to one? Why waste the time in argument?" That was no doubt a convenient course, but unfortunately no Opposition took the same view in reference to legislating in this country. What was the Bill which they were now arguing? A Bill to smash contracts. That was a nice kind of Bill to suggest that there should be no argument upon, and it came especially well after the obstructive speech of the hon. Member for St. Patrick's Division of Dublin to which they had just listened. The hon. Member had told them that the system of house tenancies in towns in England was worse than the system which prevailed in Turkey. If that was so, why did not the Government make this Bill apply to England? The further they proceeded with the Bill, the more they asked themselves why should the Government single out Ireland for this experiment. Why did they try it upon the vile body of his fellow-countrymen? The truth was that it was the only sop of the session to hon. Members below the gangway. He should like to ask the Attorney-General, who would, he supposed, speak in the course of the debate, what justification there was for treating people who had made their contracts, without knowing such a predatory House of Commons would come into existence, in the same manner as those who entered into contracts after the passing of the Act? The Government had given protection to those who entered into contracts after the passing of the Bill, and indeed their proposals as to them had such a semblance of fairness that he was almost surprised that the Government should support them. But if it was necessary to protect those who entered into future contracts, surely it was still more necessary to protect those who had already entered into contracts without reason to suppose that the House of Commons would pass such a Bill as this. He submitted that this legislation was most foolish. The whole protection ought to be given to the man who entered into a contract without any knowledge of what was to happen in the future, and not so much to the man who entered into a contract with a knowledge of the existing law. The Government, however, took the opposite view, and said they would disregard contracts made in the past, although they had the greatest respect for contracts made in the future. He thought that their attitude showed the greatest unfairness. The tenant on the other hand had bought the tenant's interest and had given less money because the tenant had not hitherto been entitled to claim for improvements. What was going to be done in that case? Was the man who paid more to be fined because he had had the improvements, and was that fine to be paid to the man who paid less because he had become entitled to compensation for improvements?

*MR. CHERRY said said in replying he would be very brief, for the reason that the right hon. and learned Gentleman had only repeated five or six times over arguments that had been used in the debate again and again. The junior Member for the University of Dublin had in his own speech repeated his argument six or seven times. The hon. Member who succeeded him repeated the same arguments, and those arguments had again been repeated by the right hon. and learned Gentleman who had last spoken. He would now for positively the last time answer those arguments once more. The right hon. and learned Gentleman had spoken of the enormity of breaking contracts. This clause did not break any contracts. The claim for compensation for improvements which was awarded under this clause was quite apart from any contract. If there was a term in a contract to the effect that the tenant was not to have compensation, or was not to make improvements, that was dealt with in the second clause of the Bill. The allegation as to the Bill breaking contracts came very badly from Members of the Party which passed the Land Acts of 1887 and 1891, both of which did distinctly break contracts. The simple answer to the other point with regard to the position of a landlord who had purchased the interest of another person on whose property improvements had been made was that the law had been in force for thirty years. Such a person took over all the obligations of the previous holder, and if he were a prudent man he would, when purchasing the property, employ a solicitor to see what obligations he was taking over. Under those circumstances he would take over the business with all the existing assets and liabilities, and a prudent man would inquire what they were before he purchased. That was a short and simple answer to the argument of the right hon. Gentleman, and he hoped that he would not be called upon to repeat it.

MR. WYNDHAM (Dover) said the idea that this was a Bill only affecting Ireland was a delusion underlying the imposture of the Government. It was a Bill to alter the view which had long been held in this country in respect to the sanctity of contract. It was a Bill which, if passed for Ireland to-day could be applied to England to-morrow, and any hon. Member whether he was an English or an Irish Member, who voted for the Bill or who abstained or failed to apprise himself of the real purport of the measure, would not be justified in complaining if in February next a similar Bill was brought in for England. Now was the time to make it clear that the Bill involved a radical change in the whole system of contracts, and more particularly in view of the fact that it applied to town holdings. All those who attended the debates on the Land Tenure Bill knew that even in England there were great differences of principle which distinguished an agricultural holding from a town holding. The distinction between agricultural holdings and town holdings was more marked in Ireland, and every proposal of the kind embodied in the first clause of this Bill made in respect of Irish agricultural holdings had been defended explicitly upon the ground that Irish agriculture was to be no guide and no precedent for legislation in respect of other contracts. And yet the Attorney-General thought it quite sufficient to get up and say that he had answered all the arguments which had been adduced. He seemed to think that this was simply a dispute between Irish lawyers and Irish Members, but it was nothing of the kind. This was a pioneer measure to break up the fundamental principle of contracts which had obtained for a great number of years. The Attorney-General had said that this would not break contracts, but what did he know about the contracts which governed the letting of town property in England? Was he aware of the fact that a landlord in some cases could not let a town holding unless he spent a certain amount of money upon it, and in other cases a tenant could not hire a town holding unless he spent a certain sum of money upon it, and both landlord and tenant were well apprised beforehand of their own interest in the particular bargain they concluded? Clause 1 said the landlord was to pay compensation for improvements to the tenant, no matter what the particular conditions of the contract might be. Did the Attorney-General not know that the ordinary lease imposed certain duties upon the tenant in regard to repairs? Would those be regarded as improvements? Supposing the last tenant had been careless, and had not done to the premises what he ought to have done to keep them in a proper state, and the landlord did not think it was worth while taking legal proceedings? He would then let his premises to another tenant at a lower rent in consequence of the state they had been left in rather than go to the trouble of suing the last tenant. The new tenant would have to do that which the last tenant should have done, and what he wanted to know was whether under those circumstances he could claim compensation from his landlord? This clause would introduce confusion into all agreements between landlords and tenants. The Bill would bring infinite litigation in its train. The Attorney-General had made that clear. Those who believed the landlord was a passing factor in civilisation and that the municipality or the State should take his place might, indeed, pass a Bill of this kind with a glad heart. Such a Bill rendered all our civilisation as we understood it absurd. He could understand those who believed in the idea of Socialism supporting the Bill, because if it were passed ordinary good faith and good will between man and man would be destroyed. The lawyers alone would profit, and we should arrive at a situation so ludicrous and onerous that the ordinary man would accept Communism in its most extreme form by preference. The Bill would alter the fundamental views of the sanctity of contract hitherto held in this country. It would carry over all that had been conceded to agricultural property in Ireland to town property in Ireland, and then to property in England. Out of 670 Members of this House at least 500 thought this principle ought not to be adopted, but they had not taken the trouble to read this Bill. Next year when this Bill was applied to English towns——

Mr. BRYCE rose in his place, and claimed to move, "That the Question be now put."

Question put, "That the Question be now put."

The House divided:—Ayes, 287; Noes, 63. (Division List No. 418.)

AYES.

Abraham, Wm. (Cork, N.E.)
Acland, Francis Dyke
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Ambrose, Robert
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. H. (Eastbourne
Beaumont, Hn. W. C. B. (Hexhm
Beck, A. Cecil
Bennett, E. N.
Berridge, T. H. D.
Billson, Alfred
Boland, John
Bolton, T. D. (Derbyshire, N.E
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brodie, H. C.
Brunner, J. F. L. (Lancs., Leigh)
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burnyeat, W. J. D.
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clancy, John Joseph
Clough, William
Cobbold, Felix Thornley
Cogan, Denis J.
Condon, Thomas Joseph
Corbett, C. H. (Sussex, E Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Crooks, William
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Dunne, A. Edward (Camborne)
Dunne, Major E. Martni (Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Elibank, Master. of
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Farrell, James Patrick
Ferens, T. R.
Ffrench, Peter
Field, William
Fiennes, Hon. Eustace
Flavin, Michael Joseph
Flynn, James Christopher
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Halpin, J.
Hammond, John
Hardie, J. Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jardine, Sir J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lea, Hugh Cecil (St. Pancras, E.)
Leese, Sir Joseph F. (Accrington
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)

Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Macdonald, J.M.(FalkirkB'ghs)
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Killop, W.
M'Micking, Major G.
Maddison, Frederick
Marks, G.Croydon(Launceston)
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd(Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, John (Kildare, N.)
O'Donnell, John (Mayo, S.)
O'Donnell, T. (Kerry, W.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, James(Roscommon,N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Priestley, W.E.B.(Bradford,E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Renton, Major Leslie
Richards, T.F.(Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Samuel, Herbert L.(Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A.H.(Ashton under Lyne
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick,B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Stanger, H. Y.
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Taylor, Theodore C.(Radcliffe)
Tennant, Sir Edward(Salisbury
Thomasson, Franklin
Thompson, J.W.H.(Somerset,E
Thorne, William
Torrance, Sir A. M.
Toulmin, George
Trevelayn, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Wallace, Robert
Walters, John Tudor
Walton, Sir John L. (Leeds. S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent
Ward, W.Dudley(Southampton
Wardle, George J.
Wason, JohnCathcart(Orkney)
Wedgwood, Josiah C.
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, Llewelyn(Carmarthn
Williamson, A.
Wills, Arthur Walters
Wilson, J. H. (Middlesborough)
Wilson, J.W.(Worcestersh. N.)
Wilson, W. T. (Westhoughton)
Young, Samuel

Tellers for the Ayes—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry, N.
Beach, Hn.Michael Hugh Hick
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Butcher, Jamuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Lord R. (Marylebone, E.)
Coates, E. Feetham,(Lewisham
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Cross, Alexander
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Duncan, Robt. (Lanark (Govan
Fell, Arthur
Fetherstonhaugh, Godfrey
Finch, Rt. Hon. George H.
Fletcher, J.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Helmsley, Viscount
Hervey,F.W.F.(BuryS.Edmd's
Hill, Sir Clement (Shrewsbury
Houston, Robert Paterson
Hunt, Rowland
Kenyon-Slaney, Rt.Hn. Col.W.
Keswick, William
Liddell, Henry
Long, Rt.Hn.Walter(Dublin,S.
Mason, James F. (Windsor)
Morpeth, Viscount
Pease, HerbertPike(Darlington
Powell, Sir Francis Sharp
Rawlinson, JohnFrederickPeel
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Smith, F. E. (Liverpool,Walton
Starkey, John R.
Talbot, Lord E. (Chichester)
Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Walker, Col.W.H.(Lancashire)
Walrond, Hon. Lionel
Wortley, Rt. Hon. C. B.Stuart-
Wyndham, Rt. Hon. George
Younger, George

Tellers for the Noes—Sir Alexander Acland-Hood and Viscount Valentia.

Question put accordingly, "That those words be there inserted in the Bill."

The House divided:—Ayes, 58; Noes, 286. (Division List No. 419.)

AYES.

Anstruther-Gray, Major
Arkwright, John Stanhope
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester
Beach, Hn.Michael HughHicks
Bowles, G. Stewart
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Lord R. (Marylebone, E.
Coates, E. Feetham(Lewisham
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.
Craik, Sir Henry
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Duncan, Robt. (Lanark, Govan
Fetherstonhaugh, Godfrey
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Helmsley, Viscount
Hervey, F.W.F.(BuryS.Edmds
Hill, Sir Clement (Shrewsbury)
Houston, Robert Paterson
Hunt, Rowland
Kenyon-Slaney, Rt.Hn.Col.W.
Keswick, William
Liddell, Henry
Long, Rt.Hn.Walter(Dublin,S.
Mason, James F. (Windsor)
Morpeth, Viscount
Pease, HerbertPike(Darlington
Powell, Sir Francis Sharp
Rawlinson, JohnFrederickPeel
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Smith, F.E.(Liverhool,Walton)
Starkey, John R.
Talbot, Lord E. (Chichester)
Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Walker, Col. W.H (Lancashire)
Walrond, Hon. Lionel
Wortley, Rt. Hon. C. B.Stuart-
Wyndham, Rt. Hon. George
Younger, George

Tellers for the Ayes—Sir Alexander Acland-Hood and Viscount Valentia.

NOES.

Abraham, Wm. (Cork, N.E.)
Acland, Francis Dyke
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland(Christchurch)
Ambrose, Robert
Ashton, Thomas Gair
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Beauchamp, E.
Beaumont, Hn.H.(Eastbourne)
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bennett, E. N.
Berridge, T. H. D.
Billson, Alfred
Boland, John
Bolton, T.D.(Derbyshire,N.E.
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Brodie, H. C.
Brunner, J.F.L. (Lancs.,Leigh)
Bryce, Rt.Hn.James(Aberdeen
Bryce, J. A. (InvernessBurghs)
Buchanan, Thomas Ryburn
Burke, E. Haviland-
Burnyeat, W. J. D.
Buxton, Rt.Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clancy, John Joseph
Clough, William
Cobbold, Felix Thornley
Cogan, Denis J.
Condon, Thomas Joseph
Corbett, C.H (Sussex,E.Grinstd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Crooks, William
Cross, Alexander
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Elibank, Master of
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Farrell, James Patrick
Ferens, T. R.
Ffrench, Peter
Field, William
Fiennes, Hon. Eustace
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
GladstoneRt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Greenwood, Hamar (York)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Halpin, J.
Hammond, John
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A.

Hayden, John Patrick
Hazel, Dr. A. E.
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henry, Chrales S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, W.Bateman(Somerset,N
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jardine, Sir J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonsh.)
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lea, HughCecil(St.Pancras,E.)
Leese, SirJosephF.(Accrington
Lehmann, R. C.
Lever, A. Levy(Essex,Harwich
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Macdonald, J.M.(FalkirkB'ghs
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
McaVeagh, Jeremiah (Down,S.
MacVeigh, Chas. (Donegal, E.
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Killop, W.
M'Micking, Major G.
Maddison, Frederick
Marks, G.Croydon(Launceston
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Mooney, J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Newnes, F. (Notts, Bassetlaw)
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow, W.
O'Connor, John (Kildare, N.)
O'Donnell, John (Mayo, S.)
O'Donnell, T. (Kerry, W.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, James(Roscommon,N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Priestley, W.E.B.(Bradford,E.
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Renton, Major Leslie
Richards,T.F.(Wolverhampton
Richardson, A.
Rickett, J. Compton
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson,SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Chares Day
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott,A.H.(Ashton under Lyne
Seaverns, J. H.
Seddon, J
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Stanger, H. Y.
Stanley, Hn. A.Lyulph (Chesh.
Steadman, W. C.
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Taylor, TheodoreC.(Radcliffe)
Tennant, SirEdward(Salisbury
Thomasson, Franklin
Thompson, J.W.H.(Somerset,E
Thorne, William
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Vivian, Henry
Wallace, Robert
Walters, John Tudor
Walton, Sir John L.(Leeds, S.)
Walton, Jospeh (Barnsley)
Ward, John (Stoke upon Trent
Ward, W.Dudley(Southampt'n
Wardle, George J.
Wason, JohnCathcart(Orkney)
Wedgwood, Josiah C.
White, George (Norfolk,)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, Llewelyn(Carmarthn
Williamson, A.
Wills, Arthur Walters
Wilson, J. H. (Middlesbrough
Wilson, J.W.(Worcestersh., N.)
Wilson, W. T. (Westhoughton)
Young, Samuel

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

And, it being after Eleven of the clock, further consideration of the Bill, as amended (in the Standing Committee), stood adjourned.

Bill, as amended, to be further considered To-morrow.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at a quarter after Eleven o'clock.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Tuesday, 20th November, 1906.

EARLDOM OF NORFOLK.

Committee for Privileges to meet on Tuesday next, at Two o'clock.

The Earl of Rothes took the Oath.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against; of inhabitants of parishes of Radcliffe (Lancashire); Barton (Cumberland) and Wrightington; read, and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

Petition for Amendment of; of inhabitants of parish of Emmanuel, Clifton. Read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

ROYAL HIBERNIAN ACADEMY AND METROPOLITAN SCHOOL OF ART, DUBLIN.

Report by Committee of Inquiry into the work carried on by the Royal Hibernian Academy and the Metropolitan School of Art, Dublin; together with minutes of evidence, appendices, and index.

TRADE REPORTS (ANNUAL SERIES).

No. 3732. France (Foreign Trade for 1905 and first six months of 1906). No. 3733. Mexico (Trade for 1905–1906).

Presented (by Command), and ordered to lie on the Table.

BANK OF ENGLAND.

Return of the amount of notes issued more than forty years and outstanding on 31st October, 1906, which have been written off. Laid before the House (pursuant to Act), and ordered to lie or the Table.

EDUCATION (ENGLAND AND WALES) BILL.

House again in Committee (according to order).

[The Earl of ONSLOW in the Chair.]

Discussion resumed on following Amendment—

"To insert as a new clause:—'(1) The Board of Education may recognise as a State-aided school, efficiently contributing to the public education of the district in which is is situated, any school which, though not a public elementary school provided by the local education authority, fulfils the conditions laid down in the code of regulations for public elementary schools for the time being in force in regard to management, premises, accommodation, equipment, teaching staff, curriculum and inspection, and in respect of which an application is made to them for recognition by the managers. But it shall be a condition to any such recognition that—(*a*) The Board of Education are satisfied that the teachers are adequately remunerated, regard being had to the rate of salaries paid by the local education authority to teachers in public elementary schools in the area; (*b*) the managers guarantee the use and the cost of the upkeep of the school buildings and premises and all other cost of maintaining the school (except such part of the cost as may be defrayed by Parliamentary grants) for a period of three years, which guarantee shall be renewable from time to time; (*c*) the regulations contained in paragraphs one, two, and three of Section 7 of the Elementary Education Act, 1870 (a copy of which shall be conspicuously put up in the school) are complied with in the case of the school. (2) Where a school is recognised under this section as a State-aided school the Board of Education shall, notwithstanding anything in the Education Acts, 1870 to 1903, or in this Act, pay to that school the Parliamentary grants which would be payable in respect of the school or of the scholars attending the school if it were a public elementary school provided by the local education authority. (3) A State-aided school shall be treated as a public elementary school for the purpose of the Elementary School Teachers' (Superannuation) Act, 1898. (4) A State-aided school shall be under the control of the managers, who, in addition to their other powers of management, shall have power to make provision for giving religious instruction of some special character not permitted under Section 14 of the Elementary Education Act, 1870, and to charge school fees not exceeding ninepence per week, and to refuse admission to children for whom they have not sufficient accommodation or sufficient teaching staff. (5) A State-aided school and its registers shall at all reasonable times be open to the school attendance officers of the local education authority, but shall not be otherwise controlled or maintained by the authority. (6) Nothing in this section shall affect the power of a local education authority to provide such school accommodation in public elementary schools provided by it as it may consider desirable for any district in which a State-aided school is situated, and in so doing the authority shall have regard to the wishes of parents who do not desire their children to attend any such State-aided school."

*LORD AVEBURY hoped he might be allowed to say a few words in support of the clause. There had been for some time an Amendment standing on the Paper in his (Lord Avebury's) name with a very similar object, but he had postponed it thinking that it would come with so much greater force from the right rev. Primate. The Amendment in question would have had practically the same result as that now before the Committee. It was intended to give effect to a proposal made in the House of Commons, from the Liberal side of the House, by Mr. Harold Cox, the Member for Preston. The proposal had the support of some of the highest educational authorities in the House, especially of Sir William Anson and Sir Henry Craik. The latter had presided so long and with such conspicuous ability over the Education Department of Scotland that he spoke with great authority upon this subject, particularly as since his Grace had told them that so many of the Scottish schools were carried on under that system. He for one had often thought that the more they could approximate the English system to that of Scotland, the better it would be for the education of the country. Then the Leader of the Opposition, Mr. Balfour, had said that the scheme of this Bill inevitably carried with it the acceptance of some such Amendment as that now before their Lordships' House. And lastly he might observe that if the seats in the House of Commons had corresponded at all with the votes given in the country at the last general election the clause would have been carried by a very large majority, showing that it had the support of those who were interested in education throughout the country. They had often heard that the responsibility for the Bill rested with the Front Opposition Bench, and that it would not have been necessary if it had not been for the Act of 1902. If that were the case this clause was really necessary, and was not in any way in opposition to the Bill, and he hoped, therefore, that it would receive favourable consideration from His Majesty's Government. He further claimed the support of the Committee on the grounds of economy. They had heard a great deal about the grant of £1,000,000 which was to be devoted to the purposes of this Bill from the National Exchequer, and the Government had told them several times that they really were unable to form any idea what the charge upon the rates would be under this Bill. The noble Earl the President of the Council in summing up the debate, had referred to the figures which had been given by Sir George Doughty, and had said that he could not imagine that the expense would come to anything like the figure he had mentioned. He (Lord Avebury) had tried also to ascertain what the expense would be. It was no doubt true that it was impossible to say what the Bill might cost the country, but he was afraid it was not so difficult to say what it must cost the country. In the first place, there were school places to be found for over 3,000,000 children, and he thought that those of their Lordships who know what the expense of providing school places was (and those school places must either be provided by building new schools, or by buying or renting the present schools) would agree with him that for those 3,000,000 school places £2,000,000 was a very moderate figure; indeed, he would be very much surprised if that figure was not exceeded. Then there was the question of the cost of education per child. There were 3,000,000 children in these voluntary schools. In London the difference between the cost of a child in a board school and in a voluntary school was £1 13s. 9d.; in the country as a whole the difference was 13s. 6d. He thought, therefore, that in taking 8s. as the extra cost to be incurred under the Bill they were taking a very moderate figure, and, indeed, one which he was afraid would be largely exceeded. But taking 3,000,000 children at 8s. per head extra, the Bill under this head would cost the country £1,200,000. There were 14,000 schools, and they could not possibly put the alterations and repairs for 14,000 schools at less than half a million a year. Then there were establishment charges, and taking those at the moderate figure of £10 per school, that would come to £140,000; making the total up to something a little over £4,000,000. He did not ask his noble friend to go into those figures on the present occasion, but he hoped that he would take an opportunity at some future time of pointing out why he thought those figures were all wrong, and that instead of £4,000,000 the Bill would only cost £1,000,000. He might also observe that in addition to all those charges there would be at the commencement a somewhat heavy expenditure for the Commissioners, and a considerable permanent increased cost for the great number of extra duties which the Bill threw upon the Board of Education. He could not help thinking, therefore, that they would be rather fortunate than otherwise if £4,000,000 covered the whole expenditure under the first part of the Bill. The second, moreover, would in some places add heavily to the rates. Surely that was a very great reason why they should economise where it was possible. If in England one-tenth of the schools were to be under the Archbishop's clause—as they knew was the the case in Scotland—they would be saving to the rates some half million a year. Sir Henry Craik, who was so well acquainted with the Scottish system, and with all appertaining to it, was most strenuous in favour of the clause, and had given very strong reasons why he believed that the proposal which now worked so well in Scotland would work well in England also. It certainly would give variety—elasticity—to the educational system of the country—an advantage which was not lightly to be estimated. Sometimes they were told that these voluntary schools were not such good schools as the board schools. It might be admitted that the buildings were sometimes humbler, and the appliances not quite so up to date, but, on the other hand, just as it had been well said that—

> "Stone walls do not a prison make,"

neither did stone walls make a school, and he was sure that every one of their Lordships who had been acquainted with the working of schools would agree with him that it was rather the spirit in which the school was carried on that was important. Its success depended upon the energy, the experience, and the enthusiasm of the schoolmaster and of the committee much more than on the walls and the desks—the success of the school depended much more on the living elements thrown into it than it did on the mere material, appliances. Every school carried on under the clause suggested by his Grace the Archbishop must be carried on by people who would have subscribed considerably towards the expense of the school, who would have shown, therefore, that they had education at heart, and that they were ready to make sacrifices for the success of the school. He felt satisfied that schools carried on in that spirit, and in that manner, were eminently likely to be successful and useful. He ventured, therefore, to commend that clause to their Lordships, partly because it must inevitably tend to lighten the rates—every school which came under the clause would be a considerable saving to the rates—and even more because it would retain a valuable, and he hoped an increasing, element in the educational system of the country.

*LORD ZOUCHE OF HARYNGWORTH thought that there was a great deal to be said for this clause, and that it would commend itself to the sympathy of their Lordships, particularly on account of the arguments brought before them by the noble Lord who had just spoken. He might perhaps very respectfully urge that sub-section (6) of the clause would not be very workable or very necessary. That sub-section said—

> "Nothing in this section shall affect the power of a local education authority to provide such school accommodation in public elementary schools provided by it as it may consider desirable for any district in which a State-aided school is situated."

In other words, it gave power to a local authority, if it thought fit, and they could not tell exactly what might guide the decisions of those authorities, to erect a school side by side with a State-aided school. And if that were so it would very much defeat, he thought, the whole scheme of State-aided schools, because it would entail, in that case, a serious and heavy responsibility upon the ratepayers of the district, who would otherwise be very much relieved from rates. If the local authority chose to avail themselves of that power—he presumed by the compulsory purchase of land clause—to erect a school of their own side by side with an already existing State-aided school, the ratepayers of such districts would not only have to pay the ordinary education rate of the county in addition to their private subscriptions which they would contribute for the support of the State-aided school, but would also be saddled with a very heavy charge for the building of the new school, amounting to probably several thousands of pounds; and, as their Lordships were aware, it was often the custom in public councils to charge three-fourths of the expense of a new school upon the particular parish or area to which it related. So that he was afraid that the unfortunate ratepayers, if sub-section (6) were carried into effect, might be hit both ways, which would rather tend to nullify the undoubted advantages which a State-aided school would otherwise have, and which would naturally commend themselves to their Lordships.

LORD KINNAIRD said that as a governor of a school which would undoubtedly be affected if the Amendment were included in the Bill, he should like to say a few words. Their Lordships might remember that he referred to a school which was probably to be extinguished under the action of the London County Council some time ago. When the London County Council swept away the fees the managers of the school in question went to the parents, and consulted them, and it was found that they preferred to pay the fees, and when they were not allowed any longer to pay fees, they became voluntary subscribers of the school, because they preferred a select school so long as it would be allowed. He need not go into all the detail of the discussion with the county council, but at last they had to withdraw the school from them, and they were now continuing it as an elementary school—of course without a Government grant, and at present the parents of about 550 children had availed themselves of that school. If they had been allowed to continue with the local authority they would have saved them £800 a year in fees, they would have saved them the expense of acquiring a new school which he might put—although of course it was merely a guess—at something between £50,000 and £80,000; but, as he had said, at the present time they were continuing, by the wish of the parents, who were willing to pay that amount in order to make it self-supporting. It would commend itself, he thought, to a great number of people—first of all, as noble Lords had said, to the ratepayers, because it would save them considerable expense. At present their attention in London—and he had no doubt it was also the case in the country, but more especially in London—was being drawn to the fact of the rise in rates, and they would probably increase under this Bill; and he thought if schools were allowed to maintain their independent existence it would be popular with the ratepayers. Of course it all depended on the parents as to the success and maintenance of the schools, and many of them believed that a large number of parents not only in London but in many other places, as in Scotland, liked to have their children in rather a better school—he might say of the same class as a higher grade board school. Then with reference to education, he did not think that anyone would dispute that the schools which this might help or save from destruction, would be of a class where the education for many years past had been first class. He did not think he need labour that point, as that was admitted, he believed, on all sides. He would not go into any detail, because possibly His Majesty's Government in another place might consider that it was too late to bring this proposal into the Bill. He hoped anyhow that the subject having been ventilated, his Grace would, if it were not accepted now, see the wisdom at some time next session of bringing in a small separate Bill, which ought not to take long, in order to admit of keeping in existence several schools, and even the bringing back under the education authority of some schools which might break away, because they all felt the importance of having Government inspection. But unless that class was admitted and brought in he was afraid that the school he referred to, and some others, would not be under Government inspection. He did not think that education would suffer so very much, but at all events they would always be glad, having reaped so great an advantage in the past from the visits of His Majesty's inspectors, to have that system continued. With these few words, having seen the working of the school which he had mentioned, he would just call their Lordships' attention to the practical advantage which would be given in respect of economy, in respect of the parents, and in respect of the good education of the children. He hoped His Majesty's Government would see their way to admit this provision into the Bill.

A NOBLE LORD said that there seemed to him to be an ambiguity in sub-section (4). It said—

> "A State-aided school shall be under the control of the managers who, in addition to their other powers of management, shall have power to make provision for giving religious instruction of some special character not permitted under Section 14 of the Elementary Education Act, 1870."

Did that mean giving religious instruction of the denomination to which the managers belonged, or did it mean all round facilities?

*THE LORD ARCHBISHOP OF CANTERBURY said perhaps it would be a convenience to the noble Lord that he should answer the Question now. The decision on such a point would rest entirely with the managers. They proposed to leave to the managers the question of the provision of religious instruction. He did not suppose it would be outside the powers of the managers, as the clause stood, to have more than one kind of special teaching, including what was called Cowper-Temple teaching. But, more probably, the teaching would usually be of one sort throughout the school. The arrangements would be left to the managers, and that was the very idea that underlay the principle of the clause.

*THE LORD PRESIDENT OF THE COUNCIL (The Earl of CREWE): This clause of the most rev. Primate is, as he stated, of a very far-reaching character. It is perfectly true that it is not an entirely novel suggestion as regards this Bill, because we have, as noble Lords will remember, made some provision for the possible existence of schools of this kind. At the same time, the extension which is proposed is one of a very grave character. The most rev. Primate said that he spoke in this matter rather as an educationist than from his great position as the principal dignitary in the Church of England. I can assure him that whether he speaks as one or the other, any suggestion of his will be respectfully listened to, by the Government as by the rest of your Lordships. But in considering this matter in connection with this particular Bill, there are one or two important considerations to be borne in mind. First of all, from the point of view of education. As is well-known to your Lordships, the establishment of anything like a large system of State-aided schools has been taken serious exception to from the educational point of view. I grant that any return to the conditions which existed before the year 1902, and which were, in the main, the cause of the introduction of the Act of 1902, would lead to a loss of educational efficiency. Against anything of that kind the most rev. Primate has guarded, so far as the words of a clause make it possible to guard. He has surrounded this system, if I may say so, with a sort of barbed wire entanglement, which ought to make it impossible for any school to escape into a state of inefficiency. But it is a question which I think the Committee must ask itself, as to whether any restrictions, however elaborate, will, or would in certain events, ensure the maintenance of the standard of these schools at the point which the elementary education of this country is expected to reach: The difficulty, I think, which must confront everybody in considering this matter arises out of the necessary position of such schools as these. They are started under these elaborate restrictions, and it is provided most carefully that their efficiency should in every way be maintained. There may be four or five different factors which go to make up the efficiency of a public elementary school, and if this school falls short in any one of those—if it falls below the standard, that is to say, of a good council school, or of a good public elementary school of a voluntary character—it would be the duty of the Board of Education to call attention to the fact, and, if necessary, to take action. What action can the Board of Education take in such a case? It has only one action, namely, to pass sentence of death on the school. It must close the school. It has no other power. After having tried remonstrance it has no power of penalising the school except with the result of closing it. It stands to reason, therefore, that when you have only this one sentence of extinction, you naturally lose that power of regulation, and of enforced improvement, which I think would almost be necessary if schools on this system were to become part of our national plan of education. What it is feared would happen is this—that being unwilling to close the school, the authorities would gradually—perhaps very gradually, but still certainly—fall into the state of things which existed before 1902; that is to say, they would close their eyes to certain deficiencies in these schools, certain respects in which they fell short of what was considered the proper standard. It would almost, I think, inevitably happen that in certain cases there would be some lapse from the standard which the most rev. Primate sets before himself, and it would place the Board of Education in a very serious difficulty if they had only left the choice between condoning that lapse and closing the school. And there is no doubt that in the minds of many there is a fear that this might lead to a different state of things. It might so happen that a Government was in power, and presiding over the Board of Education, which was so determined to maintain these schools and not to close them, that it was prepared to go on indefinitely increasing the grants in the case of these particular schools in order to keep them alive until the amount of the grant might reach the sum now provided by grant and rates combined. That, of course, is a possible political solution, but in view of the fact that the elementary education of the country has been in the main entrusted to the local authority, it is not a result which we, at any rate, could look upon without concern.

So much for the educational aspect. But it is also necessary to consider what is the bearing of this proposal on this particular Bill as it stands. The most rev. Primate stated, and stated most fairly, that he looked on this proposal from an educational point of view, and not as providing a means of escape from what some may think the rather rigorous provisions of this measure. But, my Lords, would the public generally so regard it if it were included in this Bill? Would it not be understood that this clause was introduced here as providing a different kind of loophole from that which we provide under Clauses 4 and 5 of this Bill, in order that those who are not content with the facilities offered under the measure might, as I say, find a loophole of escape? As we interpret the views of the whole country on this matter, they are these—that the country desires to see a normal type of school established under the county councils, but it admits certain very distinct exceptions, an admission to which we have given effect in Clauses 4 and 5. But we do not believe that the country would admit or desire a second method of escape from the normal system of council schools, and for that reason we think that to include a clause of this kind in the Bill would not only unnecessarily complicate the measure, but would at the same time greatly confuse the issue by, as I say, allowing two quite distinct exceptions to run concurrently. Therefore, if it became the desire of this House to institute a general system of these State-aided schools, we feel that it would hardly be compatible with our measure to continue Clauses 4 and 5. You must either have one or the other. If you are prepared to accept the suggestions for the safeguarding of denominational teaching which we make under Clauses 4 and 5, well and good; or it might be conceivable—though we think it educationally distinctly objectionable, and therefore inferior—that the country might agree to a system of State-aided schools standing outside its national system. But we do not think that both are possible, and, therefore, so long as Clauses 4 and 5 remain in the Bill, we could not agree to the insertion of the right rev. Primate's clause.

As regards Clauses 4 and 5, as compared with this clause, there is, I think, no question, as far, at any rate, as the Roman Catholic Church is concerned, that Clauses 4 and 5 would be considered preferable to a general system of State-aided schools, under which they obtained no assistance from the rates whatever. Consequently, we regard this proposition introduced here as directly contrary to the whole scheme which we had in view in introducing this Bill, and consequently we are not able as a Government to accept the proposal of the most rev. Primate.

A NOBLE LORD said there was one sentence which fell from the noble Earl which seemed to his mind to insinuate that there might be, at the Board of Education, a head who would regard the position of the denominational schools as different from their position at the present time, and that it would be possible to increase the efficiency grant to such an extent as to meet all the calls upon it. He did not understand how that could be arrived at. Perhaps the noble Earl would explain that sentence in his speech.

*THE EARL OF CREWE: I was not speaking of anything which would be in the power of the Board of Education of that time, but of course it is quite possible for a sympathetic Government to increase the grant all round, which would enable the school to be carried on entirely by grant rather than by rates and grant combined.

VISCOUNT HALIFAX said that the noble Earl opposite seemed to fear that the clause might impair the efficiency of the schools under it, but he would draw attention to the fact that if the schools were not efficient it was extremely unlikely that the parents would send their children to them, especially as under the clause the managers had the power of charging fees; and it was extremely unlikely that the parents would send their children to such inefficient schools, especially when they were under the necessity of paying fees, seeing that they had a more efficient school, free from fees, equally at their disposal. He thought that was a consideration which was entitled to weight. He would also like to point out that if the schools were not efficient, there was nothing whatever to prevent the Board of Education withdrawing the grant—that was entirely in the discretion of the Board of Education. And further, he would have thought that the clause would be of extreme advantage both to the Bill and to the Government. It was quite uncertain (and he thought the discussion in that House yesterday proved it) upon what the £1,000,000 was calculated. He himself thought that the cost was much more likely to be £2,000,000 or £3,000,000 than £1,000,000 under the Bill. But, whether it was £1,000,000 or £3,000,000 or £4,000,000 would very largely depend upon the number of schools that were transferred. The Lord President of the Council must know that it was an extremely doubtful matter how many schools would be transferred unless Clauses 4 and 5, and, he might add, Clause 3, were really made efficient. He thought that the noble Earl might be quite sure of this: that, whatever sacrifices were imposed upon the people, they would not transfer their schools if they did not get security for the religious teaching they desired; and, if schools were not transferred, that fact would largely add to the rates and greatly increase the money which would have to be spent under the Bill. Whilst Clauses 3 4, and 5 were extremely important, the noble Earl must also be aware that with regard to schools belonging to the Church of England in the rural districts, Clauses 4 and 5 made their position extremely difficult. Under the new clause proposed by the most rev. Primate it would be possible (although at an expense which he considered would be a grave injustice) to save denominational teaching in many of the rural districts; and he hoped that in the interest of everybody, if it were possible to make this Bill a settlement, and finally to settle the question, that His Majesty's Government would really consider the justice of accepting the clause, because he was satisfied that if that clause passed it would greatly ease the working of the Bill, should it become law.

*THE MARQUESS OF LANSDOWNE: My Lords, I am one of those who listened with sympathy as well as interest to the statement in which the most rev. Primate introduced his Amendment. On the merits, the Amendment seems a perfectly defensible one; it introduces us to the State-aided school in a very different guise from that in which it first appeared in Clause 5 of this Bill. In Clause 5 persons seeking to obtain extended facilities under Clause 4 were liable, after they had surmounted what the Lord President just now called "the barbed wire entanglements" conspicuous in many parts of the Bill, to find themselves put off with treatment as a State-aided school. It was, if I might so describe it, a penal settlement of the question. The present proposal is entirely different. The most rev. Prelate advocates the creation of these schools from an educational point of view in the interest of that variety which so many of us would like to see in the school system of this country; and also as a means of insuring denominational education in many parts of the country where that education is desired to be preserved. The proposal was also advocated by my noble friend Lord Avebury upon the ground that it was an economical proposal. I should be the last person in the world to make light of that argument, for I am convinced that, whatever merits this Bill possesses, if it possesses any, the merit of economy is not one. But I am not sure, so far as the most rev. Prelate's proposal is concerned, that I can see much in it upon the ground of economy; because if State-aided schools of this kind were to be numerous, there would be some danger that they would as a class, particularly if they were a numerous class, fall below the general level of efficiency which we desire to maintain. I am under the impression that the most rev. Prelate did not expect these schools to be a very numerous class, but that he intended them to be of a somewhat special and exceptional class designed to provide for exceptional requirements. And, if that be so, of course the economical argument falls to the ground. But, my Lords, I am bound to say, after hearing what has been stated for His Majesty's Government by the Lord President, that I am very doubtful indeed whether the most rev. Prelate would be wise to press his Amendment upon the Committee. In the first place, let us remember that we have been constantly charged by noble Lords opposite with over-loading the Bill with Amendments. Many of our Amendments, I think, are not open to that imputation; but this would certainly be a very serious and considerable excrescence upon the Bill; and I should, for that reason alone, hesitate to take the responsibility of recommending it. But there is another consideration which weighs more strongly still with me. I have always, from the moment when I first saw the most rev. Prelate's Amendment, felt that it was open to this objection; that if it were adopted the existence of these State-aided schools would certainly be used as an argument for whittling away the advantages to be given to schools enjoying extended facilities under Clause 4 of the Bill. The noble Earl's speech shews that my suspicion was not an idle one, because he told us, with great frankness, towards the close of his remarks, that in his opinion we should have to choose between the advantages of this proposal, and the advantages already to be found in the Bill under Clauses 4 and 5. I know that the most rev. Prelate expressly disclaimed the idea of intending this Amendment to supplant the provisions contained in the 4th and 5th clauses; but I am as sure as that I am standing here that if we were to introduce these new sections into the Bill they would be used as arguments for taking away the privileges which are already offered to us under the 4th and 5th clauses. My feeling is that we should be wise to concentrate ourselves upon those clauses—to insist, as we have hitherto insisted, that the advantages offered in those clauses shall be real advantages, that they shall not be surrounded by irksome conditions which will make them virtually untenable; and that we should content ourselves with securing those points, rather than seek to proceed upon what the Lord

President called alternative and concurrent lines. I think he is right in saying that to do so would confuse the issue, and that it might lead to the loss of some of the provisions which we regard as the most important contained in this measure.

THE LORD BISHOP OF SOUTHWARK thought the subject was of sufficient importance to make it allowable, for a minute or two more, to protract the discussion. Nobody who knew the most rev. Primate would doubt for a moment that when he said a thing he meant it; and, as most of them had a considerable opinion of his judgment, he thought they would suppose that what was plain to the noble Marquess, and what had been plain to other speakers—namely, that this proposal would be likely to be discussed as an addition to denominational opportunities—was also present to his own mind, and therefore that it was rather against that than because of it he had proposed the clause to the Committee. He also thought that nobody who knew the deeper things of educational discussion would doubt that it was a most tenable opinion, and he believed a growing opinion, that to unify the educational system, and to make it all of one kind and one piece, was not to improve it. To give a unity to it, as it were, in outline—to give a general grip and control upon the educational system of the country—was one thing; but within that outline, and under that control, to have a real variety of method and of character was a very great advantage. He very much wished, therefore, that on that ground His Majesty's Government could have seen their way to adopt something of the kind proposed. He could not help noting, as they passed, that it was not always bishops, or other wrong-headed persons of that kind, who introduced the religious difficulty into every stage of the educational discussion, because when they had a proposal, which had been, by its proposer, very carefully put upon other grounds, and not upon any form of the religious question, the noble Earl at once rose and said that he must bring it back again under the general heading, and under the general topic, of religious discussion, and on that account dismissed it.

*THE EARL OF CREWE: I am bound to protest against that view of what I said. What I did say was that I felt bound to call the attention of the Committee, and of the most rev. Primate, to the colour which may be put upon his Amendment outside. It was no desire of mine to introduce the religious question at all.

*THE LORD BISHOP OF SOUTHWARK apologised to the noble Earl; what he had been saying was only half serious, and in fact, in his next sentence he had intended to express his own agreement with the noble Earl — which was, in fact, an agreement also with the noble Marquess—to the effect that whatever was said, and done, and wished, it would be considered outside as a denominational advantage. But that being so, he could not deny that he himself would like very much to see this clause included for that very purpose. And in that connection he thought they ought to say—and perhaps they ought to say even more than they had said—that it was their opinion that if this subject was treated, as it ought to be treated, with due respect to opinions of different kinds, the noble Earl would not be getting up from that Bench and using such language as he had used. It was to him one of the saddest things of all the discussion that there were bodies of opinion which seemed to have so little knowledge of each other, and so little willingness to consider one another's views. He doubted very much, if he might be allowed to say so, whether the noble Earl, whose unfailing courtesy of expression in that House had been acknowledged again and again, knew at all what sort of impression was given to large bodies of deeply conscientious men who had served the State, as well as the Church, for many a year at great sacrifice and great cost, when they read such words as "loopholes of escape" and expressions of that kind. For it was indeed the fact that the effect of this Bill was to capture, as in a net, the great system of schools which had done half the work of the country for the last half century. It was a fact that the Bill was demolishing and pulling down that system, and (this was a point directly relevant to the Amendment, treating it as he was now treating it) not only pulling down that system, but ignoring to a very large extent (and in saying this he had not forgotten Clauses 4 and 5, though he wished the hole in the bottom of them was filled up) the wishes and desires of those whom those schools represented. He did not know how much it was good to import into their debates the directly controversial element, but he had himself the feeling, and he was quite certain that the feeling was very widely shared outside the House, and probably within it too, that while they were discussing this detail and another, the great issue which was before the country, which appealed to the justice of the country, which appealed to the heart and to the feeling of the country, was often obscured and hidden; and he was sure that if only public feeling were on this subject what he thought it would be if it were better informed—what he thought it would yet be when the country came to look back a little later on the stages of this discussion—then such a suggestion as was contained in the clause now before the Committee, would be discussed from that Bench, and from every Bench in the House, in a somewhat different spirit.

*LORD STANLEY OF ALDERLEY said that the right rev. Prelate had complained of his noble friend the Lord President of the Council's speaking of affording "loopholes of escape," but as the right rev. Prelate immediately went on to talk of the Government's preparing a net intended to catch and enclose in its meshes the great system of schools which had educated half the country for the previous half century, he must say that the right rev. Prelate himself seemed to have rather gone upon the lines which he had deprecated in another speaker. He would remind the right rev. Prelate that the question of the bearing of this clause upon this methods of teaching religion was most pointedly introduced and insisted upon by the noble Viscount opposite, who had pointed out how, under it rural and single school areas might get the money which was now given in urban areas under Clause 4. The right rev. Prelate might not like it introduced by other Members, but he thought that in the view of the right rev. Bench the most important part of this education dispute was its bearing upon the religious question, for he felt quite sure that the right rev. Bench would not be so keen upon this question if they did not think that those two questions were almost insolubly united. He had thought that, after the speech of the noble Marquess who led the Opposition, probably the clause would have been withdrawn, and it was rather the speech of the right rev. Prelate that had drawn him from his intended silence; but as he still believed that the clause would be withdrawn, he would be very brief in what he had to say. He wished to point out to the most rev. Primate, and to the noble Lord who had spoken from the cross benches and who illustrated his argument by citing a school in which he took an interest, that the clause before the Committee did undoubtedly increase the cost to the taxpayer, because the Bill as it stood enabled any managers of a school held in trust for religious education to withdraw that school from all public aid and all public control, and to maintain it as a certified efficient school. The clause which the Government had put into the Bill, which prohibited them from that course unless they gave a guarantee so to maintain the school for five years, was struck out, and the managers of schools were left to their undoubtedly absolute legal liberty to carry out the terms of their trust if they pleased without State interference and without State support. But the operation of the most rev. Prelate's clause would be to enable all such persons who disliked local interference at once to maintain their schools, not as certified efficient schools, but as State-aided schools, receiving a grant which very easily might amount to £2 per head from the State, and therefore the clause proposed would be a distinct addition to the burdens of the taxpayer in the interests of those schools. But further he would like to point out what the operation of the clause would be. It would take away from the parents any voice in the management of the schools. It was going back to the pre-1902 conditions, where the managers were everything and the parents nothing. The managers meant the owners. Those owners would enable any person of importance in the village who had power and keenness of conviction and interest, to say, "I will maintain my school as a State-aided school under this clause, limiting the religious teaching to the body to which I belong." The parents would not be represented on the management at all, nor would there be a parents' committee to control the religious education. And then it was said, "Oh, but it would be the duty of the local authority to provide alternative accommodation." Why? The clause did not even make it the duty of the local authority. The clause as drafted by the most rev. Prelate ran thus—

> "Nothing in this section shall affect the power."

There was a very important difference between a power and a duty. That was a serious change made in the Act of 1902; whereas formerly it was a duty and an obligation of the local authority to provide all accommodation, there was a great alteration made in that Act. He could very easily imagine that many local authorities would be supremely indifferent to religious teaching, but supremely sensitive to the burden of the rate, who would not at all wish to exercise their power to provide another school in a village if a school was maintained there already which cost nothing to the rates. Further it might be said, "Oh, but surely some of the parents would bring pressure!" He was quite satisfied that in a small village, where the whole parish belonged to one proprietor—probably kind and benevolent, but perhaps a little old-fashioned, combining the sense of feudal authority with the sense of feudal responsibility—it would be very difficult for any of these villagers to ask for a separate school. Nobody supposed that the farmer would clamour for it. The cost of the school might fall up to two-thirds or three-fourths on the locality, and they could not expect the farmers to be clamouring for a new rate to be put upon them. If it were possible to imagine that there might be two or three farm labourers unreasonable enough to clamour for it, the farmer would very soon find a more reasonable set of labourers who would not put him to the expense of a new rate. The fact was that the proposed clause would not hold water, and as he did not think it would be seriously pressed he would say no more.

*THE LORD ARCHBISHOP OF CANTERBURY desired to express his gratitude to the Committee, and especially to the noble Lord, Lord Avebury—particularly for the support which the latter had given to the larger considerations which led him, at least, to advocate that addition to the educational system of the country. He was quite certain that the question was one of increasing general interest, and he had no doubt that that interest, whatever might be the fate of this particular Bill, would continue to increase, and that the possibility of State-aided schools would not be lost sight of in the years that lay ahead. He believed the educational advantage would be very great indeed, and if it were worth while he thought he could answer pretty completely the argument of the noble Lord, Lord Stanley, as to the probability that his would throw increased cost upon the public, either as ratepayers or as taxpayers. Lord Stanley had spoken as though schools which would otherwise be costing nothing to the public would become State-aided schools, and therefore involve a new charge upon the taxes. That, he thought, was the argument of Lord Stanley. His own argument, on the other hand, would be that a vast number of children would by voluntary effort be educated in this way—after some years, after the system had been improved—who would otherwise have been educated at the full cost of both ratepayers and taxpayers, and therefore in the long run it would prove a saving and not an expense to the public. He confessed he looked with a little suspicion—though perhaps that was hardly the right word—upon the argument which he understood to be used by the Lord President: "Perhaps this scheme is quite fair, only the public will not think so." He did think that that was a dangerous argument to use when they were trying to do what was right. He thought they should try only to do what was right, and trust that in time the people will understand it to be right, even though at first there should be a misunderstanding on their part.

*THE EARL OF CREWE: I think I ought to remind the most rev. Primate that I strongly pressed, to the best of my ability, that the educational arguments ought to prevail under any circumstances.

*THE LORD ARCHBISHOP OF CANTERBURY quite agreed, but he just mentioned the allegation he had referred to as a line of argument which he should always be inclined to deprecate. He had noticed one thing with some little interest—he did not like to say satisfaction, except in so far as it was a satisfaction to find that things which one had said in fear and alarm seemed to be justified by the utterances of those who at first had not appeared inclined to accept the same view. In speaking of Clause 4 and its safeguards he, and those who thought with him, had said that even though they might be pretty thorough and complete as regards Roman Catholic schools, they were not so thorough and complete as regarded Church of England schools, and he had noticed that the noble Earl, in speaking of Clause 4, had said that it ought to have a very beneficial effect upon Roman Catholic schools. That was precisely what many of them had felt to be the distinction between the schools which belonged to the Roman Catholics and the schools which belonged to the Church of England as regarded Clause 4. What they had tried to do in their Amendments was to make effective the provisions which they felt before to be delusive. After what had been said upon both sides of the House he did not desire to press his Amendment to a division. No doubt the matter would come before their Lordships again some day—not under this Bill but under another—and he hoped that he would then have the satisfaction of seeing that House have the opportunity of securing a development which he was certain would be of advantage to the cause of education as a whole.

Amendment, by leave, withdrawn.

*LORD HENEAGE, in moving the following new clause:—"In the case of all existing schools which may become provided schools under this Act, sub-section (2) of Section (6) of the Education Act of 1902 shall be repealed, and it shall be enacted that two managers shall be nominated by the owners of the school and two managers elected by the parents of the children, in addition to two managers nominated by the local authority," said he was glad to inform their Lordships that this was not another controversy upon any religious question. It was a practical proposal for the appointment of managers to what were now existing schools but which would come in under the operation of Clause 1. In the schedule to the Bill, which was almost a Bill itself, the foundation managers set up under the Act of 1902 were to be abolished; and at the present moment there were no managers set forth in the Bill specially for those schools. The clause spoke for itself. He proposed that in the existing schools there should be two managers nominated by the owners, two by the parents, and two by the local authority; and he thought he could, in a very few words, give very fair reasons for all three proposals. These schools were only to come under the power and control of the local authority for five hours on the five days of the week on which the school was held, and at certain other times provided by Statute when meetings could be held there; but during the whole of the rest of the time of the week—the other hours of the five days and on Saturday and Sunday—they were entirely under the powers of the owners, who were altogether responsible for them. Therefore he thought it was only fair that if they were to be responsible for the management of the schools out of school hours, and for everything that might happen in them when they were either let, or lent for entertainment, or for any of the other purposes for which village schools of all denominations were used, they should have some representation upon the management. Consequently, he proposed that the owners should be represented by two managers. Next they came to the parents, and he thought, after the speech to which they had just listened from Lord Stanley of Alderley there was no doubt that the other side of the House were quite as anxious as they on that side were to see that the parents were represented on these committees of management; and the other two managers would be appointed as they were now. He thought that with the clause as it now stood, and as he would propose it, there was a good opportunity of obtaining, in a friendly manner, a representation not only of all classes but of all denominations upon the committees of management, which was what he would desire. He was also of opinion that it would obviate a very great difficulty which he thought would exist in the separate parents' committees. He did not object to those parents' committees themselves, but he saw the greatest difficulty in working them; and he could not himself quite see—he might be entirely wrong, and perhaps the Lord President would be able to remove some of his difficulties — where the line was to be drawn between the powers of those parents' committees and the committee of managers. That was one of his chief difficulties. If the committee of managers was framed in the way which he proposed, it appeared to him that they would do the work, not only of the managers' committee, but of the parents' committee as well. Therefore he had worded it in that way. He believed he was perfectly correct in saying that if the great body of the owners in the country, as well as a great majority of both Houses of Parliament, in 1902 could have had their way, they would have preferred such a clause to the foundation managers clause; and he might, if the Committee would allow him to do so, speak from personal experience in the matter. He had never put the foundation managers clause into operation in the district school of which he had been chairman for the last thirty years; but he had called the ratepayers and the parents together for the three parishes which the school served, and had asked them to consider the names of those persons who should be managers; and in the end they had selected four unanimously, of whom of course two were to be appointed by the owners. He had then undertaken to get the local authority to appoint the other two, and they were appointed unanimously by arrangement with the local authority; and they had never had the slightest difficulty since. They had, besides the two representatives of himself on the management, two Church of England representatives, one Roman Catholic and one Wesleyan; the Roman Catholic was a farmer, and the Wesleyan a labourer. That was what he should call an ideal board of managers; and he could not help thinking that if the same sort of committee could be set up in other parishes, it would obviate the difficulty which he foresaw in this parents' committee's running side by side with the committee of managers. It would get over that difficulty in a most satisfactory manner; and be begged to move the clause standing on the Paper.

Amendment moved—

"To insert the following new clause, 'In the case of all existing schools which may become provided schools under this Act, Sub-section 2 of Section 6 of the Education Act, 1902, shall be repealed, and it shall be enacted that two managers shall be nominated by the owners of the school, and two managers elected by the parents of the children, in addition to two managers nominated by the local authority.'"—(*Lord Heneage*).

*The Earl of CREWE: It is impossible for the Government to accept the clause suggested by the noble Lord. It would surely be a paradox if in a provided school the majority of the managers represented anybody but the local authority. The more natural course which was provided by the Bill was that the management should follow the rule of the management of council schools—that four of the managers should be appointed by the county council and two by the minor local authority. It is perfectly true, as the noble Lord says, that the school is obtained for the purposes of public education by the local authority; and at all other times its use is in the discretion of the owners. The mere fact that the owners had two representatives on the body, far from adding to the control which they would have over it would detract from it, because, as a matter of fact, the owners would have obviously the final voice in the disposition of the school when it was not used by the local authority. As regards the question of the committee of parents, as I understand the noble Lord, he thinks that in ordinary facility schools there should be no committee of parents.

But I must remark that the committee of parents was agreed to by us on the understanding that it was to have control over the special religious instruction and for no other purpose. We certainly should not be prepared to admit the parents, as such, to the general management of the school as proposed by my noble friend's Amendment.

VISCOUNT GOSCHEN was glad that his noble friend Lord Heneage had raised the point, because, so far, their Lordships' House had scarcely given sufficient attention to the question of managers. He thought there were many, both in that House and outside, who had not recognised the immense change which had been made in Clause 1—not expressly, but through the Schedule, and through the phrase that they were to become provided schools—that in all schools the power was in future to rest in two local authorities, and that all managers, whom he would now call local managers, were swept away. Whatever the merits or the demerits of the present system of foundation managers, introduced in 1902, it had secured that the men chosen were men deeply interested in the school, men who were on the spot, and who were watching the whole progress of the school. In the future, according to the new system, four managers were to be elected by a distant authority and two by the minor local authority. But the parish itself had nothing to do with the administration of the school, they had no voice; and it would be perfectly possible that in some parishes there might be a totally different feeling with regard to the school from what existed at head quarters. And so the whole power (the noble Lord was perfectly right in saying so) would be taken away, and the managers would have practically no powers at all; they would simply be the mouthpiece of the distant authority. He thought it should be known generally that that great change had taken place. The next point was, what duties were the managers to have? He thought his noble friend was quite right in pointing to the fact that at present there would be the two authorities; the managers and the parents' committee. He thought the question would have to be further discussed upon Clause 15 to which it was strictly germane. They would then have, with regard to the management of a parish school, the action of the distant authorty, the action of the minor authority, the action of the parents' committee, and the action of the managers themselves—an administrative confusion which would, it appeared to him, in the future render the administration of the school extremely difficult. He hoped that His Majesty's Govenment, that House and the public, would consider, quite apart from the controversial questions with which they had to deal, that question of the local administration of the schools—who was to exercise a deal of influence over the schools, and who was to have such a necessarily watchful eye upon the proceedings in the schools. He hoped that that might be thoroughly kept in sight, and that it would be treated from a broader standpoint than he thought had hitherto been the case.

*THE UNDER-SECRETARY OF STATE FOR FOREIGN AFFAIRS (Lord FITZMAURICE) desired, if he could do so without at all going again over the ground which had been already covered by the observations of the Lord President, to point out that the noble Viscount who had just addressed the Committee was under a misapprehension in saying that under the Act of 1902 the parish had no position. "Parish" was defined in the Definition Clause of that Act—

> "The minor authority appointing one of the managers outside the areas of the local authorities."

Therefore, in provided schools at present the parish council, the parish represented by the parish council, not, it was true, by the managers, had the right of appointing managers and he might add that in some counties in regard to the non-provided schools an even larger representation was indirectly given to the parishes, because the county councils in some cases (he spoke of his own county certainly, and he knew it was the same in some neighbouring counties) recognised that it was practically impossible for a body like the County Education Committee, a rather central body sitting in the county town, to know clearly themselves who the fit persons were in all the different parishes of the county. Therefore, what they did in the case to which he referred was this: they sent out, in regard to their own appointment, to all the parish councils to ask them to send up three names; and, from those three names they selected one. So that in reality the parish council had not only a power by law to appoint, but they had also practically a power in the appointment of the member appointed by the county council, because he was practically appointed on the recommendation of the parish council, seeing that the county council, very wisely as he thought in those circumstances, nearly always chose the name which the parish council sent up first on their list of three.

*LORD ZOUCHE OF HARYNGWORTH wished to say one word upon what had fallen from Lord Heneage about the difficulties of the parents' committees. Of course it was an important departure from the Bill; and, as he understood, it received to some extent the sanction of His Majesty's Government; but upon the nature of the parents' committee everything seemed to turn, and their Lordships would see that it had not been exactly defined who were to compose the committee. First of all, were these four people to be elected by the parents to be parents themselves; were they necessarily to be parishioners or residents in the area to which the school applied; or might they be, in some cases or in all cases, outsiders? Because, as had already been pointed out, those parents were, in their very nature, of a somewhat unlettered and humble description, and on that account were all the more worthy of their Lordships' consideration. But, unless proper care was taken as to who were appointed, or how they were appointed, there was always the risk of certain influences being brought to bear, so as to get such and such a person elected not altogether with a single view, considering the extremely important functions with which they had to be charged, namely, the control of the religious instruction given in the school for which were to be responsible. He merely wished to draw the attention of the Committee to a point which he thought had somewhat escaped notice, and which perhaps might be, at some future stage, a little more determined than it was at present, as to the exact nature of the persons who were to compose the committee which was to be elected by the parents. As to the nature of their election, that, he presumed, was to be governed by rules laid down by the Board of Education; but those rules, he supposed, would probably only refer to the method of election, as to whether it was to be by ballot, how the days were to be fixed, and so forth. But the other consideration, as to who exactly these people were to be, seemed to him to be very important, though at present it was left undefined in the Bill.

LORD HENEAGE asked whether the question raised on the present discussion was to be decided now or at a later stage. Clause 2 said that the local education authority might—

> "Make any arrangements they think fit by agreement with the owners of the schoolhouse of the school for obtaining such use of it as is required for carrying on a public elementary school."

Supposing that they were to make it one of the stipulations, or propose it as one of the stipulations, that there should be one of the school managers appointed by the parents, would that be outside the arrangements possible?

*THE EARL OF CREWE: I think it would, certainly.

THE CHAIRMAN OF COMMITTEES: Does the noble Lord press his Amendment?

LORD HENEAGE: No.

Amendment, by leave, withdrawn.

Clause 14:—

VISCOUNT LLANDAFF said there was an ambiguity about the syntax of subsection (2), which ran thus—

> "The expression 'transferred voluntary school' means a school which is continued as a public elementary school by the local education authority in the schoolhouse of an existing voluntary school, either under an arrangement made in pursuance of this part of this Act, or under an agreement for the purchase or hire of

the schoolhouse made after the passing of this Act and before the first day of January, 1908."

It was not clear upon the section whether that restriction of date referred to the arrangement made in pursuance of that part of the Act, or was only in regard to the agreement for purchase or hire. If the former, it was obvious, he thought, that the time was too short. It could be hardly possible for all the schools that might possibly desire an arrangement to complete their arrangements before the 1st January, 1908, and he saw no reason why they should be shut out from making arrangements at a later date. It might be that many voluntary schools would try to struggle on without making an arrangement, and at last be compelled by necessity to come in and make an arrangement. He could see no good reason why they should not be permitted to make an arrangement under Part I of the Act after the first part of the year had lapsed—just after, in fact, the Act came into force. The Act did not come into force until the 1st January, 1908, and he did not see why local authorities should be tied down to making an arrangement in the year 1907 and being in their present condition when no stimulus or pressure was put upon them to make an arrangement at all. They could go quite smoothly through the year 1907, and perhaps go on for a year or two afterwards, and they could then come in and make an arrangement under Clauses 3 and 4. What good reason was there against that? He could see none. On the other hand, if the restriction of date only applied to agreement to purchase or hire, then he could not understand the necessity of it at all. There was no possibility of agreement for purchase under the Act. The Act gave no power to purchase a school. The only agreement was for the use of the school for the purpose of elementary education. The agreement for purchase or hire could only be under Section 19 of the Act of 1870, which was a clause empowering the School Board, and therefore now the county council, to purchase the land. Of course he should bow to the decision of the Lord President, but he doubted whether, under that clause, the county council had any power to purchase a school. They had power to purchase land, but no power to purchase a school, and certainly there was no power under that clause for the owners of a school to disregard their trust and to sell to the local education authority. It was Clause 19 of the Act of 1870 which seemed to be hinted at, or alluded to, by the words—

> "An agreement for the purchase or hire of a schoolhouse."

That agreement was not contemplated at all by the Act of 1870. They wanted not only to empower the local authority to purchase, but to give power to the owners of the schoolhouse or the trustees of the schoolhouse to sell to a local education authority in spite of their trusts, and in partial disregard of their trusts. Whether that was the true construction of the Act of 1870 or not, there was no reason for limiting the date by which arrangements might be made for purchase or hire. Therefore he begged to submit to His Majesty's Government that the limitation of date to which he had referred ought to be struck out.

Amendment moved—

> "In page 11, line 19, to leave out from the word 'Act' to the word 'or' in line 20."—(*Viscount Llandaff.*)

*THE EARL OF CREWE: My Lords, this is a small matter but rather a complicated one. In reply to the noble Viscount's first question, I think you will see that the arrangement made in pursuance of this part of the Act is provided for by the different dates mentioned in the Act, and that therefore these words, "before the 1st day of January, 1908" only apply to the agreement for the purchase or hire of the schoolhouse, but all arrangements are provided for by Clause 2 and by Clause 9 describing the proceedings of the Commission. As regards the agreement for the purchase or hire of the schoolhouse, I do not think the noble Viscount is quite accurate in saying that no schoolhouse may be acquired under Section 19 of the Education Act, 1870, because as a matter of fact they have been, I am informed, so acquired under that Act. I mean as regards taking a lease—that is to say, the hire question—I did not quite understand whether the noble Viscount said that schoolhouses could not be leased, or could not be bought, under that section.

VISCOUNT LLANDAFF said that under that section there was no power to buy a schoolhouse held under trust, because they must entrust the owners to sell, as well as the local authority to purchase. On the other hand there was a clause in the Act of 1870 which was repealed in the schedule to the present Act, and to which he should propose to call their attention. The clause in question gave the largest power of all against purchase, use, or partial use of any sort or kind. He saw no reason, and could imagine no reason, for limiting the date in the manner proposed.

*THE EARL OF CREWE: The reason was that we were anxious that these arrangements should be concluded so far as possible within a given time, and that, where the school did not desire to make an arrangement within that period, it might, of course, stand out and become a certified efficient school, but if at a later period it wanted to come in, it would have to come in as a new school, and would not get the advantages of coming in as a transferred voluntary school.

LORD ASHBOURNE said that he had read all these sections with a great deal of attention. Although he was sure the noble Earl was a master of their complication he thought it would be well worth his consideration, and that of those responsible for the drafting of the Act, if they would try and group together the different dates, because really it required a man to be at his best in order to remember all the various dates that were necessarily put in. He quite agreed that there could not be a common date for every purpose, but in this particular instance the date put in was for a rather narrow purpose. He quite agreed with his noble friend that it was too rigid to say not only after the passing of this Act—that was quite right—but a year before 1st January, 1908. He thought that was rather too narrow. At first he had been inclined to think that the words ought to be "After the passing and under the provisions of this Act"; but on reflection he did not think those words would cover the conditions of the noble Earl, and, therefore, he would ask whether the words should not be "the 1st January, 1908, or on such date as may be fixed by"—such authority as the Lord President pleased to name.

THE EARL OF CAMPERDOWN asked why it was necessary to fix any date at all. They were defining a "transferred voluntary school." A "transferred voluntary school" could be taken over by Section 2, and by Section 9, and there were three ways in which it could be taken over without any arrangement by this clause. In this clause a "transferred voluntary school" was a school continued under an agreement, or an agreement made in continuance of such an agreement, or in pursuance of a scheme made by the Commission. Surely that was an exhaustive settlement of all possible transferred schools, and therefore he did not see why they wanted to put in a date to complicate the matter at all.

*THE EARL OF CREWE: Because all the other possible ways of affecting the school, except this one, are provided for by the terms of the Act upon the operation of the Commission. But in this case we think it reasonable that the local authority should know before 1908—subject to the consideration which of course I will give in reply to the question of the noble and learned Lord on the Front Bench—whether it is likely to have to build a new school or not, and whether a given school is going to be taken over or not, and it certainly seems reasonable that the authority should not be kept indefinitely waiting to know whether a particular school means to come in under an agreement or not. If it does not come in, but stands out for a time, there is no reason why, if it chooses to come in at some indefinite future date, it should not come in in the character of a new school under Clause 6. But as to why a transferred voluntary school is treated in that particular way, if the noble Lord will read Clauses 5 and 6, he will see that the circumstances under which it comes in are rather different.

VISCOUNT LLANDAFF pointed out that the Lord President of the Council proposed by the schedule to repeal Section 23 of the Act of 1870, which was the section under which hiring could take place. What would be the position? They had a voluntary school which during 1907 would have no inducement to make an arrangement, because the *status quo* continued through the whole of 1907, and in 1908 they were no longer empowered to purchase, or agree, or make any arrangement about it. Surely that was not a desirable condition of things.

*THE EARL OF CREWE: The reason, as I said just now, is that we did not think it fair to leave the local authority in such a condition of uncertainty as to what schools it might have to build.

VISCOUNT LLANDAFF said that the local authority could occupy it compulsorily for two years as an elementary school.

On Question, Amendment negatived.

*LORD BARNARD in moving an Amendment providing that the expression "owners" as respects any schoolhouse should include persons in whom an interest in the schoolhouse "or in the school carried on therein" is vested, said he could not help thinking that there was not a very clear comprehension on the part of either the members of their Lordships' Committee or of the public at large as to what the effect of the definition of the word "owners" might be. No doubt the popular idea was that the people who had the making of arrangements for the transfer of these schools were what was popularly known as trustees. But there was a difference between the public comprehension of trustees and the legal definition. As a matter of fact, the persons in whom the "legal estate"—to use a legal phrase—was vested in most of the non-provided schools were persons who in that capacity had absolutely nothing whatever to do with the management of the schools, and the consequence was that it might happen, and very likely would happen, that in some cases the persons who would have to make the arrangements for the transfer of the schoolhouse, or otherwise to deal with the schoolhouse under the Bill when it became law, were persons who had no part or voice whatever in the management of the school. He knew it was a popular idea that in every parish in England there existed a parson, a squire, a church and a mansion house. He knew that was the fact in some parts of England, but it was not so in others. In the County of Durham, in which he lived, far from that being so, the parish in which he resided, which was a very large one, possessed a school which, under the School Sites Acts, was vested in the vicar and churchwardens of the parish. The school was five miles away from the parish church, and served an entirely different district. The churchwardens did not take any part whatever in the management of the school, although the vicar did. The churchwardens were merely trustees for the purpose of holding the legal estate. Therefore he did not see how they could exercise any wise discretion under Clause 2 of the Bill. The vicar and churchwardens, he should mention, were created a corporation for that special purpose by the School Sites Acts, and solely in order that they might hold the land, to save the school being put to constant expense by the appointment of trustees. Some people got over that difficulty by appointing other corporate persons, such as a bishop or archdeacon, as trustees of the schools and in those cases they might not reside within fifty miles of the school and might never come near it. He thought something should be put in so as to ensure not only the people holding the legal estate in the soil, but the persons managing the school, being consulted. The land on which the school was built, and the walls and so forth, were of no use unless there was somebody to manage and control the school, and those persons were, he thought, the persons who ought to have a voice in any transactions under this Bill. He quite admitted that in the present state of affairs it was not easy to say, under the Act of 1902, who really ought to have that voice in this particular case. Many of the managers were to be appointed by the subscribers, and there were now no such subscribers, but at the same time there was a residuum of the managing body left which should be entitled to have a voice in this transaction, and he had therefore ventured to put down the Amendment which stood in his name on the Paper.

Amendment moved—

"In page 11, line 31, after the word 'school-house,' to insert the words 'or in the school carried on therein.'"—(*Lord Barnard.*)

*THE EARL OF CREWE: The question raised by the noble Lord raises, no doubt, an interesting point as to the proper meaning of "owners" in this connection, or rather, I should say, who are the people who ought to carry on the negotiation with a local authority in the character of owners. Of course it is clear that the expression as described in the Bill could include a ground landlord, or a mortgagee, or anybody who had a proprietary substantial interest in the property. But if the noble Lord's words were included, it seems that a very large number of other persons might be said to have an interest in the school. It would include, I take it, certainly the foundation managers, or other managers as the case might be, it would probably include subscribers, if any, and it might go even further, and include, for instance, the parents of a child who, by winning a scholarship, had become entitled to education in that particular school. Consequently, it seems that an exceedingly inconvenient state of affairs might arise when it came to negotiating with the local authority. We think it very important that in that matter there should be only one consent required. Arrangements of a satisfactory character are far less likely to be reached if a large number of consents—some, perhaps, of people whose interest in the school as carried on might be very slight indeed—had to be obtained to every provision or arrangement. When we were discussing this matter before, I admitted that as what was passing was not so much the bricks and mortar as the use of the school, there seemed to be a considerable case for including the managers in some form or another under this head, and I suggested that it might be possible that the managers of the school, and the trustees, might act together as one body, and carry on negotiations with the local authority. I do not know whether that at all appeals to the noble Lord, or whether he suggests a way in which they could be treated as one body. If he could, I certainly think it would meet the substantial justice of the case; but if not, I certainly do not think we could agree to words so vague as those of the noble Lord, and which, as I say, would admit for purposes of consent in these cases, I would not say an unlimited, but certainly an unknown number of persons.

*LORD BARNARD expressed his obligation to the noble Earl for the courteous way in which he had met the criticisms he had made. Under the circumstances he certainly did not propose to press his Amendment, and he therefore, asked leave to withdraw it. Perhaps the Lord President would see his way to suggest on the next stage of the Bill words giving effect to the offer which he had been good enough to make with a view to meeting his (Lord Barnard's) views.

Amendment, by leave, withdrawn.

LORD CLIFFORD OF CHUDLEIGH moved an Amendment providing that no child should be reckoned, for the purposes of the provisions of this part of the Act relating to extended facilities "and application by parents to the Board of Education," as a child attending a school unless the child had attended the school with due regularity for at least six months. He said the object of the Amendment which he was about to move was to secure to the parents the right of applying to the Board of Education. For instance, in Clause 5, sub-section (4) it was provided that—

"The parents of at least twenty children attending a transferred voluntary school, if aggrieved by the mode in which extended facilities are afforded by a local education authority, may appeal to the Board of Education."

If the words in the clause were sufficient to cover all the appeals that the parents might make to the Board of Education, he had no wish to move the Amendment—if the noble Earl thought they were covered by the existing words.

Amendment moved—

"In page 12, line 10, after the word 'facilities' to insert the words 'and application by parents to the Board of Education.'"—(*Lord Clifford of Chudleigh.*)

*THE EARL OF CREWE: I do not make any objection to the insertion of the words if the noble Lord likes to insert them. As the Bill stands, I make no objection.

LORD CLIFFORD OF CHUDLEIGH said he would move them at present, and if the noble Earl subsequently thought them unnecessary, he could leave them out.

On Question, Amendment agreed to.

VISCOUNT LLANDAFF said the addition, or Amendment, which he had put upon the Paper was to provide for differences between the parents' committee and the local education authority. Differences must necessarily arise. The parents' committee, as their Lordships had now instituted it, had a very delicate duty to perform—namely, the control of the religious instruction given in the schools.

Amendment moved—

"In page 12, lines 19 and 20, after the word 'education' to insert the following new sub-sections, '(6) If any question arises between the local education authority and the owners of the schoolhouse or the parents' committee of any school as to the use of the schoolhouse or as to the mode in which facilities for religious instruction are afforded, or as to damage (other than fair wear and tear) to the schoolroom or school furniture during the use of the schoolhouse for religious or secular instruction, or as to the appointment or dismissal of teachers, that question shall be referred to the Board of Education, whose decision shall be final, and it shall be the duty of the local education authority and of the owners and parents' committee, to comply therewith. (7) The powers of managers under Section 76 of the Elementary Education Act, 1870, shall after the passing of this Act be exercised by the parents' committee elected under this Act.'"—(*Viscount Llandaff.*)

*THE EARL OF CREWE: May I point out to the noble Viscount that a very great part of this has already been done. I think he will find in Clause 5 of the Bill that in any question as to the mode in which facilities are carried on, there is an appeal to the Board of Education. If he looks at sub-section (4) he will see that there is an appeal from the parents of twenty children to the Board of Education, and in sub-section (1) preceding that, there is a similar appeal from the owners of the schoolhouse, and I do not know whether he thinks it worth while to ask for a further appeal from the parents' committee.

VISCOUNT LLANDAFF thought that the parents' committee would certainly have little points of friction with the local education authority. A hostile authority might interfere with the giving of religious instruction in a way that did not amount to an interference with facilities. The appeal given in sub-section (4) of Section 5 was only against the way in which extended facilities were carried out. He quite agreed that the multiplication of the clauses of appeal was very undesirable, and what occurred to him was that some general clause of appeal should be inserted in that part of the Bill, embracing all the cases given in different parts of the Bill. But whether there was one general clause of appeal, or whether the different matters should be dealt with piecemeal, there should be some clause of appeal to enable the parents' committee to get redress from what they considered undue interference with their control of religious instruction. That appeared to him absolutely necessary. A thousand little points might arise which it would not be worth while to take to the Board of Education—differences of opinion about the way in which the parents' control was exercised, and so on. He would be quite content if some general clause were put in which would consolidate all the different things. What the noble Earl had said turned upon a different case altogether. Sub-section (4) of Clause 5 was meant for the case of a notable body of parents having the control which they had bargained for. The parents' committee wanted some protection in the control which they exercised from day to day, and if the noble Earl would frame some general clause to be inserted at this point it would meet the object which he had in view in bringing forward this Amendment.

THE EARL OF HALSBURY thought the appeal clauses were a little confused as they stood—he did not say it was the fault of the draughtsman, but he could not say that the Amendment of the noble Viscount made the matter much easier. He observed that he had mixed up the furniture and the wear and tear of the schools with the mode of religious instruction, and he could not think that that particular form of appeal was very desirable. But he thought that the suggestion made was one that the noble Earl might well take into consideration—that was to say, the adoption of a general appeal clause consolidating the various appeal clauses scattered throughout the Bill. There was an appeal clause in Section 3, and another appeal clause in Section 5, and if some general appeal clause were inserted dealing with all these different matters it would make the Bill clearer and probably make the administration of the Act much easier.

VISCOUNT LLANDAFF said that the criticism of his noble and learned friend rather surprised him, because the language used, with which his noble friend found fault was taken from the Act of 1902, for which the noble and learned Lord was responsible. That was exactly the kind of dispute which would arise. If forms were broken, or some other damage was done during the hour of religious instruction, the parents' committee would be responsible, while, on the other hand, if there were damage done during the hours of secular instruction, the local authority would be responsible. Those were exactly the cases which his noble and learned friend inserted in the Act of 1902, and he had only humbly followed in his footsteps.

THE EARL OF HALSBURY said that the noble Viscount would forgive him for saying that in the Act of 1902 they were dealing with a particular code which spoke for itself, whereas the noble Viscount now wanted to introduce another set of clauses which did not fit in with those already there.

***THE EARL OF CREWE**: As regards the question raised by the noble and learned Lord opposite, I have, of course, to ask the Committee to remember that this great multiplicity of appeals was not made with our consent or concurrence, but if noble Lords who desire to see them put in want some technical assistance in putting appeals into shape, I should be very sorry to refuse it so far as I am able to command it. But as regards this particular clause, I think it is reasonable enough as the Bill now stands that the parents' committee should have an appeal of this kind, if it is not given to other people. If the noble Viscount will look at sub-section 4 of Clause 5 he will see that the parents have an appeal not merely as to how the extended facilities should be carried out, which was inserted by an Amendment, but also as to the mode in which the extended facilities should be afforded, and perhaps it might be for him to consider whether it is necessary to give the same appeal to the twenty parents and to the parents' committee. But this is a minor point. What I wanted to say is that as far as the parents' committee is concerned it seems reasonable enough, but when these other questions of wear and tear and matters of that kind are mentioned, those undoubtedly ought in most cases to be met in the original agreement as between the parties, with some provision in case of dispute for settlement by arbitration. Things of that sort ought not perpetually to be coming up to the Board of Education, as noble Lords will agree. As regards dismissal of teachers, the noble Viscount will understand that we could not possibly agree to that.

VISCOUNT LLANDAFF said that he had still another Amendment, in regard to sub-section (7). He hoped the noble Earl would see the necessity of making some concession upon that point. Section 76 of the Elementary Education Act of 1870 was repealed in the schedule to this Bill. Section 76 was the section which gave to elementary school managers the power of calling in an inspector who was not one of His Majesty's inspectors, but an inspector of a private kind—a private inspector—for the purpose of inspecting the religious instruction given in schools. The most rev. Primate, among others, had pointed out the immense importance of religious instruction, its great value to the elementary school, and its great value to the denominational school. It did harm to no human being, and it seemed to him that the power of having an inspection of that sort ought not to be taken away, so as to secure that the religious instruction given by the parents' committee was thorough and efficient, and according to the intention of the owners of the schoolhouse. Therefore all he suggested under that Amendment was that the powers of the managers under Section 76 of the Act of 1870 should, after the passing of the present Act, be exercised by the parents' committee elected under the Act. The parents' committee, having the responsibility for the religious instruction, and the control of it, ought surely to be allowed to do that which hurt no human being, and at their own expense—that was to say, to call in an inspector to see that the religious instruction given was satisfactory.

*The Earl of CREWE: The noble Viscount will remember that we have already had some little talk on this subject on the Motion of the Bishop of Winchester, and that at that time I promised to consider the matter with the right rev. Prelate, and we have had some communication with him. I cannot give an answer to the question of the noble Viscount as to transferring the whole powers of the managers under Section 76 to the parents' committee, but if he will withdraw his Amendment I can assure him that we are not losing sight of the matter, and that we will consider it further in the light of what he has said.

The Marquess of LONDONDERRY: said the noble Earl had alluded to the reply he gave to the right rev. Prelate on 5th November, but on that occasion [he the Lord President went further, and said that the Amendment was one towards which the Government also felt a great deal of sympathy. He went on to say that he was uncertain whether it was possible to impose that duty upon the local education authority, as was done in the case of voluntary schools by Section 76 of the Act of 1870. Then he concluded by saying—

> "But I can assure the right rev. Prelate that we will take the whole matter into full consideration, and, if he pleases, consult with him as to the best possible method of giving expression to his wishes."

On that understanding another Amendment on one other clause was withdrawn, and while he did not in the least deprecate what the noble Lord had said, he thought they should ask for a time to be stated when he would give clear expression as to how that sympathy was to be shown,

*The Earl of CREWE: I quite agree that it went further than sympathy—I said that the clause should, if possible, be arranged with a view to meet the wishes of the right rev. Prelate, and that it should be dealt with at the Report stage.

Amendment, by leave, withdrawn.

Moved, "That Clause 14, as amended, stand part of the Bill."

The Earl of CAMPERDOWN said that before the clause was passed he desired to draw the attention of the noble Earl the President of the Council to its form. It consisted partly of definition and partly of supplementary provision. He believed it was the invariable practice that a definition clause should contain nothing but definitions, and should come last. If the noble Earl would look at the last two lines on page 11, he would see that the paragraph was an injunction on owners of the schoolhouse to furnish information to the local authority. That had nothing whatever to do with definitions. Then came sub-section (5), which said that no child was to be reckoned as attending unless he had attended a certain number of times. Surely, as a matter of arrangement it would be better to have those two paragraphs as separate clauses and to have the definition clause by itself.

*The Earl of CREWE: I certainly will consult the draughtsman on the point raised by my noble friend opposite, which had not escaped my attention, and if it is found to be better to remodel the clause in that respect it will certainly be done.

On Question, Clause 14, as amended, agreed to.

Clause 15 :—

*THE EARL OF **DARTMOUTH** said that the object of this Amendment was to make the clause optional. As the clause stood it read—

> "The council of every county shall, subject to the provisions of this section, within two years after the passing of this Act, prepare a scheme for the purpose of delegating"

certain duties. He thought that in those county councils where they had an efficient and well-worked scheme it would be very unfortunate to compel them to break it up. He admitted that it was a little unfortunate that where "shall" appeared in the original text they on that side desired to insert "may," and where there was a "may" they proposed "shall." No doubt, that might be partly due to the atmosphere on the two sides of the House. But many of their Lordships had noticed with some sympathy an expression of the Minister for Education the other day as to the number of "shalls" that had been inserted into the Bill. If his Amendment were carried they would be able to do something to reduce that proportion, and he hoped very much that the Government would see their way to do what he asked, because, while the Amendment did not in any way affect those county councils which wished to adopt the scheme, it did prevent those which had an efficient scheme already working from being compelled to break it up. He would not go into many details, although there was a good deal to be said on the subject, but if they considered for a moment they would remember that the county councils who had adopted schemes had a large staff, competent, and no doubt expensive; they had endeavoured to carry out the requirements of the Act of 1902, and they had been put to a good deal of expense in doing it. The first two years had been expended chiefly in organisation, and after those two years of organisation, and of acquiring experience, they were now beginning to get really the effect of a good educational system. They had included in the staff the director or secretary, architects, and their assistants, who were capable men competent to plan or supervise the erection of new schools, and to prepare specifications for repairs, and to act in many other ways. The result of that was that by having these experienced men they were able to get good workmanship and the value of the money spent. He thought, further, that it would be admitted that it was very desirable that there should be a superintendent of attendance officers in a responsible position who would not be likely to be carried away by any favouritism in particular districts, and who would be able to act with that absolute impartiality which was not possible under small authorities, and be able to secure proper attendances. That being so, and the responsibility having been taken, he would like to know why it was necessary to break up this system. There was no principle involved. There had been no general demand. The ratepayers, if they wanted a scheme, could get it, as the power already existed under the Act of 1902 to submit a scheme if necessary. What would be the result of breaking that system? They would have an increase of expenditure. That was unavoidable. They would have a diminution of efficiency, which he thought was a certain result. They would set up a system of small local schools with imperfect powers and responsibilities, which would be put to great expense in the provision of offices, in the payment of salaries, and in many other ways. There was one point that occurred to him as worthy of particular attention, and that was the question of local interest. Those who had been engaged in education knew that without local interest they could not have a successful system of education, but he did not see how they were going to increase local interest by a delegation of this kind. At the present time local managers did take a local interest, and he did not think that more local interest would be taken if persons were placed as representing one district upon a board representing some ten or eleven other localities. They would get their one manager who was interested in the one school, and all the other managers would be interested in other schools. He did not himself think they would increase the local interest by any delegation of that kind. There was a great deal to be urged in support of the Amendment. He would not like to rely entirely upon his own powers of conviction, but he desired to urge one or two arguments which he thought would appeal to the Lord President of the Council, who had said in another Amendment that the object of inserting "may" instead of "shall" was to consider the whole matter in a friendly spirit with the local education authority. If the word "shall" remained, the Board would have no option, but immediately to make the order on the local authority, and it was just because they knew the kind of influence which the Board of Education and its excellent officers and administrators had with the local education authority and that an authority which made difficulties was infinitely more likely to be brought about by those methods, that they preferred "may" to "shall." It was necessary to remember that the local authorities had, if not always, at any rate within very wide limits, a considerable amount of *amour propre* in these matters, and, dealing with facts, it seemed to him infinitely more sensible and proper, having given them these great educational powers, to approach them in a friendly and conciliatory spirit. He hoped very sincerely that the Government would see their way to accept his Amendment. He begged to move.

Amendment moved—

"In page 12, line 23, to leave out 'shall' and insert 'may.'"—(*The Earl of Dartmouth.*)

LORD HATHERTON hoped that the Government would see their way to accept the Amendment. He could only speak positively with regard to his own county of Stafford, but there were no doubt many local authorities in other counties who had devoted an immense amount of time to perfecting their educational machinery under the Bill of 1902. It seemed to him extraordinary that where the work of education was being conducted well and efficiently they should revert to the less efficient and the more costly system of school boards. There appeared to be no provision in the Bill for the large number of clerks who would eventually have to be discharged if this Act passed as it now stood, and he trusted that his noble friend would, if necessary, in the interests of economy and efficiency, press this Amendment to a division.

VISCOUNT CROSS said that this was a matter which had very much exercised the county council of Lancashire. Lancashire, as the noble Lord behind him had said, had had for two years a scheme which had worked admirably—not by setting up a new authority, but by delegating part of their powers to a subordinate part of their own authority, and in that delegation they had admitted women by co-option as members of the separate part of their delegated authority. With regard to the proposal in the Bill, that seemed to him to be very unnecessary in those places where the matter had worked with such thorough satisfaction to everybody concerned, and certainly the county council of Lancashire looked with positive dismay to the breaking up of the system which had worked so well, and the setting up of another, as to which they did not know whether it would work well or not. There were one or two points in the plan proposed by the Bill which deserved the serious consideration of His Majesty's Government. In the first place they were setting up another authority where it was not wanted. They were setting up another authority which would require another election. He should have thought that they had quite elections enough. They were giving their representative body, as they called it, certain powers of expenditure without the control of the county council who would have to pay, and he should have thought it was a maxim that all economical persons would insist upon, that those who incurred expenditure should pay it themselves, and that they should not be able to pay out of another person's purse without the control of that other person. Under those circumstances why insist upon these new plans being forced upon every county when they did not want them? His noble friend Lord Hatherton was perfectly right in saying that in many counties they had schemes which worked perfectly satisfactorily, and, if so, why should they break up the whole thing which had been working now for two years at least, and start a new scheme which would involve great expenditure? It seemed to him that the proposal of the Government was unnecessary, that it would increase the expense, and certainly would not produce any better results than were obtained now, when the county councils had among themselves made these local committees which, as he said, were working so well. He trusted, therefore, that the Lord President of the Council would see his way to meet them upon this matter. It was not a matter concerning the principle of the Bill in any form or shape; it was a matter simply of detail of administration. He had placed on the Paper himself a clause which was drawn up by the county council of Lancashire, but he was not wedded to that particular form. He observed that his noble friend, Lord Belper, had an Amendment to strike out the words "representative bodies" and to insert "local education committees." That entirely met his (Viscount Cross's) point, and he trusted that when they came to discuss it a little further on the Government would see that there was no principle involved which they were bound to maintain, and that in the interests of economy, of well working, and of not disturbing those counties where schemes were now in full operation, and were working thoroughly to the satisfaction of everybody, the noble Earl would see his way at all events to meet them to that extent.

LORD SHUTTLEWORTH said that he would probably not have intervened in the debate had it not been for the remarks made by his noble friend Viscount Cross, who had spoken as if the present system of delegation in Lancashire were working to the complete satisfacton of everybody. He had no doubt that the noble Viscount had obtained his information from sources connected with the county council, but perhaps he might say that he was rather more acquainted with some of the more urban districts of Lancashire, where there was a very strong feeling that the administration of the Education Act was too much centred at Preston. Preston was a centre very far removed from many parts of Lancashire which used, under the other system, to have a considerable voice in the administration of education under the old system of school boards. and far from there being this general satisfaction with the extent to which the principle of delegation had been adopted by the county council of Lancashire, there was, he ventured to say, in some of these districts an exceedingly strong feeling that they would like to have a larger voice in the administration of their local affairs, and more power with respect to their schools, than would be given under such an Amendment as the noble Viscount had put upon the Paper, or even under the Amendment in the name of his noble friend Lord Belper. The noble Earl opposite, Lord Dartmouth, had said that he did not see how local interest would be increased by this clause of the Bill. But surely if they gave power of local administration to people in a locality, and if they also gave them the command of a certain amount of money, and if they further gave them power to say—

> "If we want a better staff in our school, or anything different from what is general throughout our county, and if we are prepared to pay for it then we can have it?"

—that was the clause as it stood—that, he took it, would be greatly welcomed by his neighbours in the populous districts of Lancashire with which he was familiar. Therefore he ventured to give his very strong support to the clause as it stood. He thought it would be very grievously weakened and would give very great dissatisfaction in Lancashire if, instead of the clause as it stood, they were to pass the clause which the noble Viscount had placed upon the Paper, and he would be rather sorry to see it weakened in the direction suggested by Lord Belper's Amendment. As it had passed the House of Commons it would give satisfaction in the various districts of Lancashire—which really were competent to carry out educational work efficiently—by giving them the opportunity of doing that which they locally desired.

LORD BELPER said that as he was responsible for a number of Amendments placed upon the Paper upon this clause by the desire of the County Councils Association, he thought that as the Amendment now before the Committee raised a very important point with regard to the clause, he ought not only to explain clearly what the position of the County Councils Association was with regard to the Amendment, but also, if he might be allowed to do so, to go shortly into what he conceived to be the policy of the clause and what would be the effect of his Amendments if they were passed. He would say at once that the question had given rise to the greatest possible interest in all the County Councils, and that there had been repeated discussions at the County Councils Association with regard to it. Not only that, but the particular Amendment of his noble friend Lord Dartmouth had not been lost sight of in the discussion on the executive of the County Councils Association, and it had been questioned whether or not it would be wise for the County Councils Association amongst their Amendments to suggest such Amendments as had been proposed by his noble friend—the substituting of "may" for "shall," in fact making delegation voluntary instead of compulsory. With regard to that, he might say that after discussion on the executive, although the education committee took a somewhat different view, it was decided without a division that it would not be wise to try and substitute "may" for "shall." He quite admitted, and agreed to the full with the whole of the arguments used by his noble friend and by Lord Hatherton in recommending this Amendment to their Lordships' notice. He gathered that if there was no other consideration to be borne in mind it would be certainly the most convenient and the easiest course for the County Councils Association to have adopted this amendment, because undoubtedly there were several counties which had not wished to make the clause compulsory, and by giving power to every county council all over England to do exactly what they liked as to delegation they would have been meeting the general view possibly even more than by moving the Amendments to which he would have to call their Lordships' attention. But the County Councils Association thought that there were other considerations. They had been to some extent in communication with the Education Department with regard to the matter, particularly with regard to the withdrawal of the former clause which they considered from their point of view to be an absolutely impossible clause. When a clause had been brought forward in the House of Commons—as they understood, by the general desire of a large number of Members—they had felt that it would not perhaps be the wisest course for a public body representing the whole of the counties to put in a *non possumus* at the very beginning to the proposal which they made to have delegation over all the counties in England. They felt that it would perhaps be better in point of policy not to take exception to the word "shall," but rather to put into Amendments what they considered were the only conditions on which they could accept a delegation clause. That point was of the greatest possible importance to county councils. The more the question had been discussed on the County Councils Association, and the more fully he had heard in this House the opinions of noble Lords who came from all parts of England, the more fully he was convinced that it would be perfectly impossible to draw a clause which would enable every county council to set up delegation authorities of the most satisfactory and efficient character unless they gave the greatest possible latitude with regard to the constitution of those authorities; and it was because they felt that, and felt it so strongly, that they thought it desirable to put in the foreground of their proposal that if any delegation clause was to pass, the greatest possible latitude and elasticity ought to be given to county councils not only in the constitution of their committees, but in the powers which were to be delegated to the different authorities. The principal part of his Amendment dealt with that point. They had not the least wish to set up any objection to the particular manner of constituting delegated authorities set up in the Bill. There were three different modes selected. One was a body which was practically a body elected *ad hoc* by the ratepayers. The second was a delegated authority—it might be a local government area where that was possible or an urban council or a large parish. The third was a body to be constituted in some remarkable manner, because it might be composed of members of councils, of local government areas appointed by those councils, and other additional members to be nominated. He did not wish to say anything about the principle of those Amendments, but what the County Councils Association felt was that while that might be very desirable under certain circumstances, there were parts of most counties which would not fulfil the conditions laid down—that care should be taken in constituting bodies so as to ensure both efficiency and economy. He ventured to think, therefore, that if any general opinion of the county council was to be consulted, the only possible way of doing it was to give more elasticity than at present appeared in the provisions of the clause under consideration. There was one other point he would like to refer to which had been already touched on by several speakers who had addressed the House. The question of Lancashire had come to the front, and he was bound to say he did not feel competent to enter, nor had he the slightest intention of entering, into the contest as to whether the present scheme adopted in Lancashire was a satisfactory one for the county or not. But it was the full intention of the Amendment he intended to move—and he believed it was fully carried out by the Amendment—that such schemes as had been in force and had been satisfactory in the past should be continued, because the authority would have the power of constituting those local bodies in whatever way they thought most desirable under their scheme, and therefore subject to any particular provisions in the clause which had to be made in order to guard against any body being constituted which was not acceptable to the different districts and divisions of the county, they could constitute their new authorities under this Act in the same way as the other authorities of which they approved had been constituted before. His Amendment fully intended to carry that out. He knew there was a very great amount of interest taken on this point not merely in Lancashire but in many important counties, representatives of which had come to him asking him that whatever Amendments were passed in their Lordships' House should specially guard that point—counties like Essex, Chester, Stafford, and many others. He thought the schemes which had been already in force would be continued in a much more satisfactory manner if they were continued under the management which he proposed, because then they would be schemes under the present Act, and would have the additional powers given under the present Act of spending money which before had not been delegated. He was not moving his Amendments now, and therefore did not propose to go into any great detail with regard to them. But there was one part on which he would like to lay some stress, and that was that they did not wish that these delegated authorities should necessarily be uniform with regard to the powers given to them. Sub-section (3) said that—

> "the provisions of the scheme as to the powers and duties delegated, and as to the charging of expenses, shall be uniform as respects all the delegation areas in the county."

He could not help thinking that while that prevented elasticity, it would also have the effect of preventing delegation to a very large extent; because where they had an authority in which they had great confidence—where they had men in a district who had been taking a great interest in education, and had, perhaps, been useful members of the school board before—they had full confidence in giving them very much larger powers than in the case of a small authority in a country district where it would be difficult to get anybody who took an interest in education, and where, if it was necessary to constitute educational authorities, they would, at all events, like to act tentatively, and not give at once the larger powers which might be given eventually. He trusted that whatever might be the opinion of the House with regard to the question of whether they should impose compulsion, or allow the counties voluntarily to undertake delegation powers when they wished it, at all events the Government would see their way to meeting what was the universal wish, he might say, of the counties as represented on the County Councils Association—that they should have a very large power in constituting those authorities. Mr. Birrell, in a speech the other day, had dwelt with some eloquence upon the necessity of trusting the education authorities and the county councils of the country. He knew that in that speech Mr. Birrell referred to other parts of the Bill to which he (Lord Belper) had no intention of making any reference at the present time; but if there was any matter with which a county council ought to be entrusted, it was the administration of their own county, as to which they must know better than Parliament what was good for them, and concerning which, even if powers were given to the Education Board, they could not carry them out half so effectively as those who had lived in the county and had taken an active part in the work of education for so many years. Mr. Birrell had used one more argument. It was this—

> "If you are going to impose hard and stringent regulations with regard to the constitution of those bodies which the county councils do not willingly accept, depend upon it, your delegation work will move very slowly indeed; because if they are suspicious and have not confidence that their bodies as constituted will work efficiently, they will be very loth to give them any enlarged powers; and therefore, the more you trust county councils in this matter, the more smoothly, I fancy, you will find a delegation scheme is likely to work, and being able to constitute bodies in the way they desire, they will have confidence in giving them a large share of the details of work of the education of the county."

Personally he had always been in favour of some system of delegation, for the reason that he thought that if they could carry out delegation consistently with ensuring efficiency and economy they would recruit a larger number of useful men from different parts of the county to assist the education committee in the work they had to do. And more than that, if they had any difficulties, and had to go to the county councils with regard to expenses or other matters of that sort, they had at their back a large number of men conversant with the way in which the work was being done, they would have broadened the basis upon which the education committee stood, and they would have more confidence, and get more support in carrying out the very difficult work in which they were engaged. In conclusion, he would only say with regard to his position in reference to this Amendment that if the Government could give an assurance that they would accept the Amendments which he had to move, he would not then be able to vote in favour of "may" being inserted instead of "shall"; but, if, on the other hand, no such assurance could be given, they must protect themselves in whatever way they could, and he should then support the Motion moved by his noble friend.

THE MARQUESS OF LONDONDERRY said that they had had a very interesting discussion upon the Amendment raised by his noble friend behind him. It was a somewhat difficult task to decide who was right in the matter, because some noble Lords behind him, who were familiar with all the work in their own councils, to a certain extent differed between themselves as to what was delegated and what was not delegated. The speech of the noble Lord who had just sat down must have carried great weight, because he spoke on behalf of a very large and very important body, and he (the Marquess of Londonderry) found some difficulty in rising to speak after him, because he was quite without that experience himself. Nor did he rise to give his own opinion, but rather for the purpose of saying that a short time ago he had received a deputation from Yorkshire, the members of which told him that they were an important deputation inasmuch as they represented the West Riding District Councils' Association. It might save trouble if, instead of narrating what they had told him, he read out the notes which he had taken on that occasion. He might say that it was a purely private meeting. The deputation in question had told him that the District Councils of the West Riding were very dissatisfied with the Education Committee of the West Riding as regarded the action taken in the delegation of education administration. Then they went on to say that at a public conference of the West Riding District Councils the following resolution was unanimously adopted (and they had assured him that it was a very large gathering absolutely unconnected with politics of any sort or kind)—

> "That this Association is of opinion that the administration of the Education Act by the West Riding Education Committee is costly, inefficient, and irritating, and demands the delegation of greater freedom and larger powers to a properly constituted local committee."

Then they went on to say further that the West Riding Education Committee set up sub-committees and invited local men to serve on them, but they said they had no powers and they could not get the best men in the district to serve. They further stated that all the powers were centred in the officials, whose acts were subsequently ratified by the county committee. Then they said that the good local men resigned, and that educational efficiency diminished as a consequence. They added that the West Riding District Councils' Association wanted compulsory delegation of reasonable powers to the smaller authorities, and that they objected to sub-section (*a*) on the ground that a multiplicity of local authorities was undesirable. They also urged that as many district councils had education committees to deal with higher education, the additional duties as regards elementary education might be given to them. They further said that the overlapping and waste of money caused by multiplicity of local authorities was shown on an accompanying memorandum (with which he need not trouble their Lordships) dealing with educational matters in certain parishes in the West Riding. He had merely quoted that, because he thought it was his duty to do so, having received a deputation from such an important body as the West Riding District Councils' Association. Turning to the Amendment of his noble friend, he would say that Lord Cross, representing as he did so truly the people in Lancashire, had stated that in that county an entirely different point of view was taken. To his mind it depended very much upon what was the feeling of the county council or of the local authority. If, as he ventured to think, in the West Riding it was perhaps not so friendly (he did not wish to say anything harsh about the views of school managers and owners) as in Lancashire, then perhaps the district councils which had appealed to him were perfectly justified in the statement that they made; and if they turned again to Lancashire (they knew that the county councils there, as in many other counties, were perhaps more favourably disposed to the local authorities), then a totally different state of things occurred. He offered no opinion whatever upon it. It was a subject upon which his noble friend the Leader of the Opposition would probably speak; he had merely spoken in order to show the difficulty that must arise at the present moment owing to the totally different views held by different counties in England.

*LORD **RIBBLESDALE** entirely agreed with the last observation which had fallen from the noble Marquess as to the extraordinary number of different opinions upon the Education Bill. He did not think anybody would dissent from that proposition. On this particular matter it was a case of *quot homines tot sententiæ*. He only rose for a moment or two, because he happened to live in the West Riding, and also to be manager of a voluntary school in the West Riding. He understood the noble Marquess to say that a deputation (of whose proceedings he had given their Lordships an almost verbatim report), had waited upon him, and that one of their contentions was that under the Act of 1902 all sorts of complications had arisen, and that the complaint of the local subdivisions in the West Riding was that they had no power. He had just been conducting a correspondence as the Chairman of his board of managers for the purpose of pointing out to the West Riding County Council that the local committee in his part of the world had so much power that all the interest was taken away from the managers. He only advanced that, not as an illuminant of this question, but merely to throw a little additional darkness on the general gloom in which noble Lords had succeeded in investing an already complicated Bill.

*THE EARL OF CREWE: My Lords, this clause is not a controversial one in the sense in which so many clauses of this Bill have been controversial, but I am not sure that it yields to any in importance, and the subject with which it deals yields to none, I think, in difficulty and complexity. That has been abundantly evident, not merely from the speech of my noble friend who has just sat down, and of the noble Marquess opposite, but also from the fact (as they have very fairly pointed out), that previous speakers entitled to give an opinion with greater authority differ widely as to the proper method of dealing with this particular question. It is known to all the Committee that in this matter we do not start with a clean slate. If we did our task would not have been nearly so difficult. But the existence of some sort of what I may call, without any disrespect, irregular delegation which has taken place under Section 17 of the Act of 1902, of course adds greatly to the difficulty of dealing with the subject as a whole. Under that section, which as your Lordships are aware, allows the constitution of a separate education committee for any area within a county, and also permits county councils to delegate to any committee any of their powers except the raising of rates, or the borrowing of money, very various action has been taken. Some counties, such as Lancashire and three or four others I could name, have instituted very elaborate schemes of delegation, and although, as my noble friend Lord Shuttleworth pointed out, the action taken by those counties — the arrangements which they have made for their committees —have not met with universal approbation, at the same time everybody must realise that a great deal of most valuable work has been done under those committees, that a great number of people have given ungrudgingly, and most honourably, a vast amount of time and trouble to the public service, and on those grounds any representations made by those who are entitled to speak for those committees, deserves and must receive very respectful consideration indeed.

In the whole of this matter one has to bear in mind that there are two entirely different schools of thought for dealing with subjects of this kind. People look at the matter from two diametrically opposite points of view. There is one class of persons who, if I may say so, worship the expert, who think that it is exceedingly important that so far as possible, education should be managed by people who are, if not experts in education, at any rate mainly and principally interested in education, and that so far as possible all the arrangements and powers which can be exercised by a county should be left to them. They are at one end of the scale. At the other end of the scale are a class of people who rather despise experts, but adore the principle of popular representation, and who consider that, speaking generally, it is safe to ignore the specialist in this matter, and that if you can leave things to elected bodies, even though they are not elected for this special purpose, even though here and there they may make mistakes and may show a lack of interest, yet, sooner or later they will learn wisdom in these particular matters and develop an interest; and that it is to the public advantage that to them, and them alone, should powers of that kind be entrusted. His Majesty's Government desire, I think, to strike a mean between those two extreme views. We cannot ignore the central fact, that where public money is to be spent, it must be spent by bodies, at any rate mainly representative. On the other hand, we are not at all disposed to ignore the value of the services of specialists, and of people who, in particular localities, are willing to give—even if not specialists in the direct sense—special attention to, and to take a special interest in, the work of education, and we are desirous that, so far as possible, their services should be utilised. The Amendment which we have before us on the Paper (although I am very glad that the discussion has taken a general line, because it is certainly a convenience to the Committee that it should have done so) is that of the noble Earl opposite, Lord Dartmouth, to strike out the word "shall" and insert the word "may." As my noble friend reminded us, it is a relief from one point of view to see rather fewer "shalls" and rather more "mays" in the Bill, but on the other hand, in this particular instance we feel obliged to adhere to the more peremptory term. We object to the word "may," not so much because it would leave out counties which have made schemes which, though varying in merit, ought I think to be spoken of as good schemes; but because it also leaves alone backward counties who have not shown what we consider to be a proper interest in this question, and who if the word "may" were inserted, would be absolved from any necessity of taking any steps at all in this direction. That fact alone to my mind condemns the word "may." It is quite possible, as I hope to show later on, that some part at any rate of the object which the noble Lord has in view in using the word "may" might be achieved in a different way, but so far as the word "may" is concerned, we cannot agree to it, because we desire that every county should be brought to a due sense of its duty in this matter, and that whatever it may have done in the past, it should in the future be obliged to produce some scheme or other for the purpose of delegating powers as defined by the section.

As regards the existing schemes—of which I certainly do not desire to speak at all deprecatingly—they do undoubtedly suffer from one point of view from the fact that these local committees have no direct power of spending money. As a matter of fact I take it (subject to anything which I may hear to the contrary from this Committee) that a great many of them do spend money, and a great deal of money, and that they are tacitly allowed to do so simply because the volume of work which comes before the education committee of the larger county councils is so great that it is not possible for them really to look into the expenditure which these committees, although they do not technically make the expenditure, yet ask to have made. That is to say, that they send up requisitions involving the spending of money, and those requisitions are passed in a great many cases practically without examination by the spending authority, the county council. If that is so, I think that cannot be regarded as a very satisfactory state of things. I think it would be a great deal better if, as provided by us (I quote the words of Section 2)—

> "Where powers and duties are delegated to a representative body under a scheme made in pursuance of this section, the county council shall charge on the area for which the representative body acts, the whole or some proportion of the expenses of carrying out the powers and duties delegated."

That is to say, that these people would have distinct power of spending money, and they would have really the direct responsibility for the way in which money was spent. The noble Earl, Lord Dartmouth, spoke perhaps, as I thought, hardly fairly of the proposed clause, as setting up a number of small school boards. It is perfectly true that under paragraph (*a*) of sub-section (4) an *ad hoc* body of the nature of a school board might be appointed if the county council desired it; but I have no reason to suppose, or to believe, that county councils, as a rule, if they desire to set up *ad hoc* bodies, would desire to set up particularly small ones of the nature of these school boards, as to the faults of which we are all, I think, generally agreed. The noble Earl ignored the two alternatives particularly proposed under paragraph (*c*) which give powers to compose a body of an entirely different kind, containing a very considerable nominated element. The noble Viscount, Lord Cross, asked "Why multiply authorities at all?" The multiplication of authorities is, as the noble Viscount is quite aware, simply due to the desire to give them some control over the power of the purse. If you are going to give your committees, or bodies, or whatever you like to call them, some power over the money spent, they must as we say, have a representative character, and consequently you must either use an existing representative body, perhaps with some addition of nominated members, or have a body elected for that purpose. My noble friend Lord Belper spoke from a somewhat different point of view from that of the noble Earl Lord Dartmouth. He, I think, evidently realises the advantage that it is to county councils to come under a clause of this form, and not to be left merely to exercise their powers under Section 17 of the Act of 1902. He says, I think, that the powers which they have exercised in the past (and which, as I must remind the Committee, they will still, if they wish it, be able to exercise in the future under that section of the Act of 1902) do not give these committees precisely the *status* which we should desire them to have, and that bodies appointed under this clause will hold, I think, a distinctly higher position in the life of the county, and in addition, as the noble Lord pointed out, will have the further interest in the local management which is given by some responsibility in regard to public funds. I do not attempt to follow the noble Marquess opposite into the point that he raised about the West Riding, because I am not really acquainted with the circumstances under which the particular complaint was made to him, and although I was for many years a member of that county council I am so no longer, and consequently I have no special knowledge on which to deal with the point raised by the noble Marquess. I am obliged, however, to point out to my noble friend Lord Belper, when he touches upon his Amendment, that the important Amendment which stands in his name allowing the county council practically to make its own scheme—

> "Every scheme shall specify the constitution and, if necessary, the mode of election of the local education Committees, and the powers and duties to be delegated to them"—

opens up considerable difficulties on this very same question of the limitation of money-spending powers to representative bodies. Under his plan the county council might delegate its authority to a body which might have a very large majority of members who could not in any sense be said to be representative. I conclude that under those circumstances the noble Lord would not expect or intend that those bodies should have the power of spending money which is permitted to the bodies to be appointed under the Bill as it stands. On the further question of the uniformity of the powers and duties, and the charging of expenses, to which the noble Lord objects, I think it is true, to some extent, that so far as the powers and duties are concerned, it seems, on the face of it, reasonable that different powers and duties should be permitted in different areas according as those areas are more educationally advanced, more generally progressive in their view, whereas, in the case of others, it might not be wise to entrust them with those powers. But I think the noble Lord will see that you must read the words "powers and duties" with the words "charging of expenses." Duties practically means expenses and if you are going to have a different scale of expenditure permitted in these different areas, I am afraid that you will find that you will complicate your local accounts—at least, that is undoubtedly the opinion, as I know, of a great many local people concerned with finance. You will complicate them in a most remarkable degree, and although we quite admit that in insisting upon this rather rigid uniformity we are doing something which we would rather not do, yet of the two it is a lesser evil than might arise from allowing a great deal of different expenditure in different areas under the same local authorities. The noble Lord said that if it were possible for us to hold out any hope of some modification of this clause, he would be disposed not to support the Amendment of the noble Earl Lord Dartmouth, but otherwise he might feel constrained to vote for it. It appears to me that it is possible to suggest some modification in one or two of the cases mentioned in sub-section (4); but I am obliged to ask the noble Lord whether he can suggest some modification in paragraph (*c*) which would make it more agreeable to him, and which in his opinion would to some extent meet the views of such counties as Lancashire, Cheshire, and others, whose views have been put forward in relation to the original scheme. If my noble friend could suggest some modification, either by supplying a somewhat larger nominated proportion (provided, of course, that the representative members had a substantial majority) or by, in some ways, modifying the words in the first line of paragraph (*c*), so as to enable it to be made quite clear that the members of the county council for the district should in each case have a seat on this body, we should certainly be disposed to consider favourably some Amendment of that kind.

But I am afraid there is no chance of our being able to accept the very wide Amendment of my noble friend, practically, as I say, allowing the county councils to specify the constitution of these committees and the powers and duties committed to them, without giving any guide in the Bill. I think it is by no means impossible to modify it by some means so that those who have hitherto given so much time to this work should not undergo the real chagrin—and, as I think, to them very real loss—of being told that their services are no longer required. That is a point which I confess appeals to me very greatly, and my impression is that if paragraph (*c*) were modified in some such direction as I have indicated, by very far the greater proportion of those who have hitherto served on these more or less informal committees would find themselves members of bodies composed under that sub-section. But I think if that were done it would be found that by far the greater part of the councils would agree to drop their present schemes, which noble Lords must always remember they are not obliged to do, because they can carry on their present schemes if they please. But of course we have no desire to see two schemes running concurrently—quite the contrary—and I have every hope that if that paragraph (*c*) were enlarged in the manner which I have endeavoured to point out, at any rate the very great majority of counties would agree to fall into line by altering their present schemes to some extent, and forming bodies which would have the increased powers which we propose to give them, and at the same time would contain most of those valuable members who, as I have said, have in the past given such good work to the objects of education.

*LORD ZOUCHE OF HARYNGWORTH thought that many of their Lordships must be in sympathy with the Amendment of his noble friend Lord Dartmouth. It would be a pity, and he was afraid a hardship, to interfere too much with county councils on this point, especially if they had already got a scheme in thoroughly good order, though perhaps not quite on the lines of this Bill, and in that way he thought there was much to be said in favour of making the power permissive instead of mandatory. On the other hand, he would have some difficulty in following his noble friend into the division lobby, supposing that he chose to press his Amendment. There was the general question of overloading this Bill with Amendments which were not vital—which was, he thought, an important consideration—and there was also the fact that if it were entirely permissive some of the counties might avoid this delegation of authority altogether, which perhaps would be going rather too far. He confessed he should not quite so much mind the mandatory nature of the clause if it could be so modified as to avoid hardship. As the noble Earl in charge of the Bill had pointed out (and he threw out one or two suggestions as to the way in which the difficulty might be met), it had occurred to him (Lord Zouche) that in some ways the difficulty might be met by sub-section (6), which came a little later in the clause, and was a saving proviso, saying that where a county council had shown the education authority that there were special circumstances in their county they might make a report to the Board of Education to that effect. That, he thought, would cover the fact of their having already a scheme in operation which was giving general satisfaction. Then if the Board of Education thought that that met their view, and if it was sufficiently in accordance with the Act—though not with the exact lines of it—they might release that county from the obligation of making a scheme under this particular section. But the clause was rather hampered by a certain population limit as to which he was afraid he might have a word to say later on, and he did not propose therefore to go into it now. But he would like to urge strongly that the utmost jealousy should be exercised with regard to the powers of spending money by these small bodies. It seemed to him that that was one of the great blots upon many schemes of education, and certainly upon this one. They gave sweeping powers to small bodies who could not in every case be said to be properly representative in the true sense of the word, and who very often did not take sufficient care of what they were doing. If they were allowed to incur expenditure and to send in a bill to the county council to be paid (and, as the noble Earl the President of the Council had justly remarked, such bills too often were paid without proper care being taken), he thought it would sometimes lead to the most disastrous results, because there could be no doubt that there were certain people who looked upon complicated schemes of education, where there were almost unlimited powers of spending money, rather as a means of enriching themselves, or of self-aggrandisement quite foreign to the general intention of the measure. It was always a great temptation to people of that kind, when there were schemes involving the employment of lawyers, builders, surveyors, architects, and such like, to serve their own purposes. Therefore, in such cases, the money spent would not tend to further the proper cause of education, but would simply tend to the aggrandisement of such people. That was a danger that ought to be most carefully watched and guarded against. But as to the Amendment of which they were immediately speaking, although one sympathised very much with the noble Lord, it might be a question whether it was worth pressing to a division—always supposing that the Amendments of his noble friend Lord Belper and others were given most careful consideration in order to try and elucidate this most complicated matter.

*THE MARQUESS OF LANSDOWNE: I would venture to support the speech of my noble friend behind me. I, for one, am reluctant to vote with my noble friend the Earl of Dartmouth, who, by a stroke of the pen, makes this extremely important section permissive instead of mandatory. I feel that the more, because we have still to deal with the series of Amendments proposed by my noble friend Lord Belper. Those we shall discuss presently. And I gathered from the noble Earl, the Lord President, (because we were in fact touching upon the ground covered by Lord Belper's Amendments), that he was prepared in reference to one part of the clause before us—I mean sub-section 4, paragraph (*c*)—to propose himself words intended to meet, to some extent at all events, the points raised by Lord Belper. I do not know whether we were right in understanding that the Lord President would himself bring up words, and, if so, we should like to know at what stage he would be prepared to do so; but in the meanwhile, I venture to suggest that my noble friend, Lord Dartmouth, might not press his Amendment to a division.

*THE EARL OF CREWE: To reply at once to the noble Marquess, I do not think I said that I would bring up Amendments myself, but that I would be prepared to consider them and to think over them and hereafter indicate what form in my view the Amendment should take.

LORD RIBBLESDALE said that he would like to put one question which he hoped would not be considered out of order. In the last two lines of page 12, occurred the words—

> "Without prejudice however to any power of delegation (otherwise than by scheme) under any other Act."

He thought those were words the meaning of which probably very few people in the House exactly understood, but he believed that in many counties there were good schemes of delegation now in existence, and he would like to ask the Lord President of the Council whether they were to understand that those words were intended to make it plain that all existing schemes of delegation might go on side by side with the new schemes of delegation under the clauses of the Bill.

*THE EARL OF CREWE: The answer to my noble friend is a very simple one. It is perfectly true that those lines—

> "Without prejudice however to any power of delegation (otherwise than by scheme) under any other Act"

apply to the powers which I mentioned just now, which exist under the Act of 1902 and to the schemes which have been made subject to those powers. Therefore, as this clause stands it would be perfectly competent for a county council to carry on its existing scheme; it would be obliged also to prepare some scheme for a representative body under the Act; but the two could be concurrent. That I think would not be on the whole a very satisfactory state of things, and therefore if we are able to arrive at some kind of *eirenicon* which the county councils who have those schemes were able to accept, it would certainly, I think, tend to a more satisfactory method of administration than if they carried on the schemes which are at present in operation under the Act of 1902.

*THE EARL OF DARTMOUTH confessed that, after what had passed, he did not anticipate very much support to his Amendment, but he was at the same time a little disappointed, because he had hoped that the discussion would have at all events cleared the atmosphere and solved the difficulties which existed. It did not, however, appear to have done so. In withdrawing his Amendment he would like to reserve to himself the right of reviving it at a future stage if the arrangements suggested between the President of the Council and Lord Belper did not quite satisfy the objects he (Lord Dartmouth) had in view, because so far as he understood at present that arrangement did not embody at all what he wanted.

Amendment, by leave, withdrawn.

LORD CLIFFORD OF CHUDLEIGH wished particularly to point out that the County Councils Association considered, and considered with a good deal of favour, putting in an Amendment similar to that of the noble Earl, but they felt that there was throughout the entire country some very strong feeling that the powers entrusted to the county councils were somewhat too centralised, and that some form of delegation was demanded, and that was their reason for not persevering with an Amendment similar to the one now before the Committee. If, therefore, it was withdrawn at the present moment——

*THE EARL OF CREWE: I am sorry to interrupt the noble Earl, but I must point out that there is no question now before the Committee.

THE EARL OF CAMPERDOWN: The Amendment has not been withdrawn.

THE CHAIRMAN OF COMMITTEES: I beg your pardon; I put it to the Committee and it was withdrawn.

LORD CLIFFORD OF CHUDLEIGH: I certainly wanted to say a few words before it was withdrawn.

*THE EARL OF CREWE: I may perhaps shorten the discussion by saying that there is no question that the noble Earl or anybody else has a perfect right to reopen the matter on Report if he wishes to do so. Even if we wished to prevent that being done we have no power to do so.

LORD BELPER moved an Amendment to omit "representative body" and to insert "local education committee." He said that this was one of the numerous Amendments which it was necessary to insert in the clause unless the Government were going to adhere strictly to every one of these bodies being representative. He had no particular affection for the words in his Amendment, but he wanted to make it clear that the Board of Education would not be precluded from entering into a scheme if the bodies were not representative bodies. Of course, this raised to some extent the whole question of the clause, as to whether the three divisions (*a*), (*b*), and (*c*) were to stand as in the Bill, or whether they were to be amended either in the way he proposed or in some other way. As far as they stood in the Bill they were to be representative bodies, but if they were modified in any way so as to include other bodies they would not strictly come under the denomination of representative bodies, and some such Amendment as his would be necessary. Before he spoke on the general question he would like to know how far the Government were prepared to go with regard to this particular Amendment.

Amendment moved—

"In page 13, lines 1 and 2, to leave out the words 'representative body' and to insert the words 'local education committee."—(*Lord Belper.*)

*LORD FITZMAURICE thought the Committee would agree that the discussion they had had upon the earlier Amendment had been one of the most interesting and important during the course of these debates, and they were certainly greatly indebted to the noble Lord for the manner in which he had brought the views of the County Councils Association, with which he was so intimately connected, before the Committee. The Government could not go the whole length of his noble friend's Amendment, but they hoped to be able to go far in the direction which he desired. It was a matter of principle with the Government that these bodies must possess a preponderating representative element whether they were composed of the representatives of county councils or of parish councils. The Lord President of the Council would, no doubt, be able at a later stage to put words on the Paper showing the exact character of the proposals of the Government.

The matters that were to be delegated by the county council to the subordinate body must be and should be matters of comparative detail, and not strictly matters of what might be called high county administration. He himself had often been charged in the parts in which he lived with being over-anxious to centralised things in the county council—a charge which he had always repudiated—and it was a novel situation to find himself now charged, as a member of the Government, with a desire entirely to destroy county administration. That would be a very great disaster indeed, and he had no fear that anything of the kind would result from the clause. The duties of the county council would be so enormously increased under the Bill that the necessity of delegation would become infinitely greater; and even after the Act had been brought fully into operation the mass of county council education work would still be very great indeed. Therefore, noble Lords who were nervous that under the clause the importance of county councils would be diminished might go to bed with light hearts. There must be some financial responsibility placed on the delegation body and the delegation area. In the clause in the Bill the Government had carefully provided against the risk of the delegation body and area being able to play ducks and drakes with county money supplied irrespective of adequate control, for it was an essential part of their scheme that if a locality desired to exercise these powers they must be prepared to pay some part of the cost beyond a fixed sum. But if this financial responsibility was to be placed on the delegation area the body in that area must have a preponderatingly representative character. Experts and co-opted members must be in subordinate numbers, the representative element having the prerogative voice. The Government could not accept any Amendment which would violate that principle. They were anxious to maintain the authority and dignity of county councils in large and essential matters, but they must always remember that, except in the very small counties, the distances which people had to travel to the county town were very great, and that if a considerable portion of the time of those who formed the county committee and sub-committee was taken up with an enormous quantity of trifling details, they would not have the necessary time to give to the great and important and essential matters on which the efficiency of the administration and the amount of the expenditure really depended. He had in his own county seen immense agenda papers where whole pages had been taken up with proposals relating to such questions as whether a caretaker should have a salary of so many shillings a week or so many shillings plus a few pence more. He did not admit that the county councils had broken down under the work—they had not, but few who had not been actively concerned in this work could realise the enormous strain there had been and the sacrifice of time and labour. They wished, if possible, to relieve that immense strain. He desired to speak with the greatest respect of the proposals of Viscount Cross, both because of his admitted authority and because his proposals had behind them the high authority of the clerk of the county council of Lancashire, Mr. Harcourt Clare. But Lancashire was in many respects a very exceptional county. There was no county in England which suffered so much from having a great number of entirely independent urban areas, or areas almost entirely independent of the county, "punched out" from its administrative surface. There were more county boroughs and partially independent urban districts and boroughs in Lancashire than in any other county in England, and a scheme such as had been suggested, under which very large and general powers would be given to the district committees in all these areas, which in some cases were almost entirely cut off from one another, might work and be necessary in Lancashire, although it would not work and was not necessary in other counties. That was one of the reasons why the Government could not accept the proposed new clause standing on the Paper in the name of the noble Viscount, and he was glad the noble Viscount did not intend to press it. On this question there had been a great deal of difference of opinion among those whose point of view was the same. But the Amendments proposed by the Government on the original clause showed how anxious they had been to find a genuine solution for the question. They regarded this clause as one of the most important in the Bill.

LORD BELPER said that he could not understand why this Amendment was not accepted by the Government on the condition that words were inserted to ensure that, wherever spending power was given, the representative element should be preponderant. There would be many cases where the local committees would be given such powers as the Government contemplated, without the power of spending money. This latitude was necessary to secure efficient administration. For instance, the clause itself mentioned that the county council should charge on the area the whole or some proportion of the expenses of carrying out the powers and duties delegated, or any amount of those expenses which exceeded some specified sum or limit. If they gave a subordinate body a power to spend a specified sum they would have no independent powers of expenditure whatever. They could be given a certain sum for certain purposes, and as long as they did not exceed that sum and used it for the purposes intended there was no reason why they should be called representative bodies. He could not understand why they should be tied down to specially representative bodies. He knew that there were Members in the other House who were anxious for the *ad hoc* principle of representation. The fact was they wanted to get back to the old system of school boards, although, of course, the powers given would not be as large as the powers exercised by the old school boards. He admitted that a number of the late school boards were extremely competent bodies and exercised their functions admirably, but there were many cases of school boards in small country districts whose schools on being taken over were found to be the most inefficient and the most extravagant in the county. It was to avoid being forced to constitute bodies which they knew would not be efficient, and which they did not think would be able to administer the Education Act in a satisfactory manner, that they had suggested to His Majesty's Government that this latitude should be given with regard to the constitution of these bodies. He would venture to ask whether, after what he had said, the Government could not see their way to grant this latitude, if they, on their part, consented to some clause which would provide that in the case of the spending of money there should be a majority of representatives of the ratepayers on the particular body.

*LORD HARRIS added a hope that the noble Earl the Lord President would find himself able to meet Lord Belper in this matter. As he read the Bill the clauses which the Government had themselves inserted were ample protection for the ratepayers. There was secured to the local education authorities complete control over any powers of expenditure that might be delegated to the local committees. The Lord President of the Council had referred to some county councils as not having done their duty as regards delegation, and he could not help thinking that the noble Earl had been referring to the county of Kent.

*THE EARL OF CREWE: No, I was not.

*LORD HARRIS said that anyhow it was applicable to the county of Kent. But he did not agree that that county had not done its duty. They had the most crystallised system of centralisation there. The education authority had delegated the whole of their powers to the education committee, and everything was controlled at headquarters by that committee. He admitted that this had resulted in a good deal of grumbling in the county, and that certain people who were only too glad to do work under the old system, and wanted to continue it under the new body, had had their powers cribbed, cabined, and confined to some extent. As inevitably followed from a centralised system, there had grown up a large staff of clerks. One of the results was that a great number of forms had to be filled up by schoolmasters or managers, as the case might be, and that had caused grumbling. But he was certain that the centralisation had led to a most economical system which would have beneficial effects for a long time to come. He was also equally certain that the pressure for delegation, which was very strong at first, and was gradually becoming weaker, would not have ceased, and they would have been compelled, sooner or later, to do exactly what the noble Earl wanted them to do under this Bill—delegate some of their powers; and they would have had to do so for more than one reason, not only from an anxiety to employ their friends in the district in this work, but also from the fact that the central authority would have broken down under the pressure of work that was being sent up to headquarters. As Lord Belper and the Government were so near an agreement, and as the Bill afforded ample protection for the ratepayers, he thought it should be possible to find a *via media.*

VISCOUNT CROSS suggested that the matter might be easily arranged. Everybody agreed that if public money was to be spent, it must be spent by a representative body. They could take that as an axiom. He was quite sure that noble Lords opposite were not aware of what really did happen in the county of Lancashire. It had been rather suggested that the accounts of the local committees were not carefully examined before the money was paid. If the matter was inquired into it would be found that the real state of affairs was quite different. The greatest possible care was taken that the money was wisely expended. Why did they want a second representative body, who were to have power to spend money but would not have to find the money? They would be placing that body in a most anomalous position. He did not particularly care how the committee was constituted, but why have the trouble of another election? The county council was the representative body and responsible to the ratepayers. The county council might be secured in the superintendence of expenditure and the trouble and expense of another election might be obviated.

*THE EARL OF CREWE: The proposal of the noble Viscount who has just sat down would really amount to leaving matters where they are. He desired that the whole question of the expenditure of money should be left to the county council, and under those circumstances the delegation would not differ, so far as I am aware, from that which is permissible and exercised under the Act of 1902. Therefore the noble Viscount's suggestion in effect is to omit Clause 15. The noble Viscount went on to say that we had stated that county councils did not really control the minor items of expenditure. I think my noble friend Lord Fitzmaurice pointed out, and I am able to confirm what he said, that it is practically impossible for the Education Committee, sitting at headquarters, to exercise what is ordinarily understood by control over the enormous series of items which are sent up to them by local committees. Control takes place in a sense owing to the fact that the accounts are looked through and are no doubt checked by the permanent officers and finally audited. In that sense there is control, but to say that this is, in a really strict sense, a control of the items of local expenditure is, I think, not to give quite an accurate description of what really occurs. My noble friend Lord Belper says he does not understand why the bodies who have the powers under sub-section (2), need necessarily be of a representative character, but I do not think he went so far as to say that unrepresentative bodies should have the expenditure of public money. What he wants, as I take it, is for the county council to be able to say that it will not have a representative body, and therefore, it will abandon the power of delegating the expenditure of money.

LORD BELPER said his point was that the county councils should have the power of constituting these bodies, and of giving them their powers, as they were able to do under the Bill as it stood, but that, in every case where they gave an independent power to spend money, the body should be a representative one, having upon it some proportion of representatives of the ratepayers.

THE EARL OF CREWE: That, again, would practically mean that these counties might stand out of this clause altogether.

LORD BELPER: Why?

*THE EARL OF CREWE: The scheme which they would propose would not be a scheme in any strict sense under the clause.

LORD BELPER: Yes, under the clause.

*THE EARL OF CREWE: Under the clause in one sense, but they might, as I understand, simply send in an account of what their scheme is at present, and ask to have it declared a scheme under the Act.

LORD BELPER said he referred to the powers under the clause. With regard to the present schemes it was a matter which could be considered how far they should be continued, but if they were continued by his Amendment they would be under the clause, and subject to the same conditions as any other scheme under the clause.

*THE EARL OF CREWE: Except that if powers and duties were delegated to them which involved the expenditure of money they would not be a body composed as these are composed. Surely that would practically be equivalent to saying that a council need not send in any scheme at all. I do not see how that differs from allowing a county council to proceed on its present lines, and to count that as a scheme. Apparently perfect freedom is to be given to the county council to constitute the body as it pleases. It need not have any representative element on it except that enforced under the Act of 1902. What the advantage, therefore, is of bringing it under this clause, I confess I am unable to conceive. Therefore my noble friend's offer is hardly in the nature of an offer at all. The noble Lord must remember that when the schemes are sent in the Board of Education is not going to consider them on their merits as schemes. It is simply going to make up its mind whether or not they fall within the clause; and if the noble Lord's Amendment is inserted without any addition any scheme would fall within the clause.

LORD BELPER said the noble Earl did not appear to understand his own clause. The Board of Education had certainly to approve the scheme, and by Section 5 of Clause 15, they were not to approve of it unless they were satisfied that proper inquiries had been made before preparing the scheme, and that an opportunity had been given to persons interested in the matter for expressing their views on any scheme so prepared, and that the scheme was within the powers given by the section. It seemed to him that that was a very different thing from schemes under the old clause. Under the Bill as it stood there was to be a public inquiry as to whether the mode of constituting the body was satisfactory to the districts, and therefore they would have not only the opinion of the county council but the opinion of others interested in the district.

*THE EARL OF CREWE: I was not speaking of the manner in which the scheme is prepared, but of the scheme as sent in. I am afraid we cannot meet the noble Lord, but we are prepared to say that one-third of the members of the delegated body may be nominated members. Noble Lords will see that that is really running the figure of popular representation pretty fine, because, as a matter of fact, the members of the councils and other bodies who will sit on this body will only be, so to speak, partially representative of the whole area, since each can only be said directly to represent that part of the district for which he sits which is included in the total area to be governed by the body. This proportion is as near as we can go to the verge of not making the body representative at all, and I believe it will give to a very large number, I hope a majority, of the ladies and gentlemen who have interested themselves in education the power of continuing their work.

LORD CLIFFORD OF CHUDLEIGH asked whether the words "members of the councils of such local government areas wholly or partly situate in the delegation area" included county councillors themselves.

*THE EARL OF CREWE: It would not include, I think, all the members of the county council whose district might form part of the area. A member of the county council who was wholly in the area would possibly be included, but I do not think the words would include all the members of the county council who might impinge, so to speak, on the area.

*THE MARQUESS OF LANSDOWNE: So far as the question of principle is concerned, I do not know that the two sides of the House differ very widely. We are, I think, all of us in favour of delegation. It is no use arguing that point; and I think most of us will admit that if this Bill becomes law it will increase the necessity for delegation. Again, so far as I was able to gather, the three canons laid down by the Under-Secretary of State for Foreign Affairs in regard to delegation, I, for one, am not disposed to challenge them. I understand His Majesty's Government consider it essential that the delegation bodies should be entrusted with matters of detail rather than with questions of high local policy. That principle is safeguarded by a section in the Bill, and with that section I do not think my noble friend Lord Belper desires to interfere.

LORD BELPER: Not at all.

*THE MARQUESS OF LANSDOWNE: The second principle is that there shall be financial responsibility thrown on the delegation body and area. No one, I think, will challenge that. Then the principle upon which most stress was laid, particularly by the noble Earl the Lord President of the Council, was that in all cases where public money has to be spent the representative element should predominate. I do not think my noble friend Lord Belper objects to that principle.

LORD BELPER: I made an offer to insert it if the rest of my Amendment was accepted.

*THE MARQUESS OF LANSDOWNE: What I understand my noble friend to lay stress upon is that the clause as it stands is too rigid, and he desires that there should be more elasticity and latitude about it. The words which my noble friend desires to omit govern the whole clause, and there is no doubt that as the clause stands we shall be precluded from any delegation except to representative bodies pure and simple. I should have thought the remedy was a very simple one—namely, to alter the words at the beginning of the clause in such a way as to give the latitude my noble friend desires, and then further on in the clause to insert words to cover the point that where the delegated body is spending public money, there the representative element should preponderate. I am surprised that the reasonable and businesslike proposal of my noble friend for dealing with the difficulty should not have been better received by noble Lords opposite. I gather that the proposal of the noble Earl the Lord President is merely that the proportion of nominated members under paragraph (*c*) of subsection (4) should be increased from one-fourth to one-third. That, I think, is important, but it does not seem to me so business-like a mode of dealing with the difficulty as that suggested by my noble friend; and I venture, even at the last moment, to appeal to the noble Earl whether he will not at any rate reserve the point and endeavour to meet my noble friend upon the lines he has himself suggested.

*THE EARL OF CREWE: I wish very much on general grounds that I could meet the noble Marquess and my noble friend. The noble Marquess has forgotten, I think, that we do reserve by this Bill to county councils powers of delegation which they may have under the Act of 1902, or any other Act. The words in the clause are—

> "Without prejudice to any power of delegation (otherwise than by scheme) under any other Act."

Practically what the noble Marquess wants is to be able to continue committees of that kind, and we do not want to prevent him doing so in the Bill, but he wants to get out of having to delegate any money powers whatever. We think that our suggestion offers a reasonable security that persons who are not members of the elected bodies, but are generally interested in education, will still be able to give their services as they have given them in the past to those local committees of the representative bodies. But we can hold out no hope of allowing the county council to make a delegation scheme without making any allowance for an expenditure of money.

LORD BELPER said that after the reply of the Lord President he must divide the Committee on the principle of his Amendment. He was most anxious to meet in a reasonable way any proposal that would be acceptable to the County Councils Association. He was in complete possession of the views of a large number of the members of that body representing every county council in England, and he could not undertake to make any further concession on their behalf in the direction of the noble Earl's suggestion without consulting them. The noble Earl had referred to the power of proceeding under the other Act with a scheme of delegation. Did anybody seriously suggest that it would be possible to have two delegation bodies in the same area? If this clause was to be compulsory and there was to be a delegation body in every case, the other bodies would cease to exist unless they were reconstituted under this clause. He asked the Committee to divide on the Amendment now, but he hoped they might find some means later of coming to an arrangement on this point.

On Question, "That the words proposed to be left out stand part of the clause," their Lordships divided:—Contents, 31; Not-Contents, 99.

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Stanley of Alderley, L.
Tweedmouth, L.
Weardale, L.

NOT-CONTENTS.

Norfolk, D. (*E. Marshal.*)
Grafton, D.
Newcastle, D.
Northumberland, D.

Ailesbury, M.
Hertford, M.
Lansdowne, M.
Salisbury, M.

Bradford, E.
Camperdown, E.
Cathcart, E.
Cawdor, E.
Clarendon, E.
Dartmouth, E.
Dartrey, E.
Derby, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Fortescue, E.
Graham, E. (*D. Montrose.*)
Halsbury, E.
Lichfield, E.
Londesborough, E.
Lucan, E.
Morley, E
Morton, E
Onslow, E
Pembroke and Montgomery, E
Plymouth, E
Radnor, E

Romney, E
Rosse, E
Shaftesbury, E
Stamford, E
Vane, E. (*M. Londonderry*)
Waldegrave, E
Wharncliffe, E
Yarborough, E

Churchill, V
Cobham, V
Colville of Culross, V
Cross, V.
Falkland, V.
Falmouth, V.
Halifax, V.
Hill, V.
Hutchinson, V. (*E. Donoughmore.*)
St. Aldwyn, V.

Bangor, L. Bp.
Bath and Wells, L. Bp.
Bristol, L. Bp
Exeter, L. Bp.
London, L. Bp.
Norwich, L. Bp.
Oxford, L. Bp.
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Abinger, L.
Addington, L.

Ampthill, L.
Avebury, L.
Barnard, L.
Barrymore, L.
Belhaven and Stenton, L.
Belper, L. [*Teller.*]
Blythswood, L.
Borthwick, L.
Braye, L.
Brougham and Vaux, L.
Burton, L.
Clements, L. (*E. Leitrim*)
Clifford of Chudleigh, L. [*Teller.*]
Clinton, L.
Colchester, L.
Dawnay, L. (*V. Downe.*)
De L'Isle and Dudley, L.
De Maulay, L.
Deramore, L.
Digby, L.
Fermanagh, L. (*E. Erne.*)
Gage, L. (*V. Gage.*)
Harris, L.
Hatherton, L.
Heneage, L,
Lawrence, L.
Leith of Fyvie, L.
Oranmore and Browne, L.
Ponsonby, L. (*E. Bessborough*
Ramsay, L. (*E. Dalhousie.*)
Ravensworth, L.

Redesdale, L.
Sandys, L.
Seaton, L.
Sherborne, L.
Shute, L. (*V. Barrington.*)
Stuart of Castle Stuart, L. (*E. Moray.*)
Trevor, L.
Vivian, L.
Waleran, L.
Wenlock, L.
Zouche of Haryngworth, L.

On Question, "That the words 'local education committee' be there inserted," resolved in the affirmative.

LORD BELPER moved to leave out "and" and to insert "or by," so as to make the holding of a public local inquiry optional. He said that in many cases it would possibly be quite an unnecessary expense and trouble to hold a local inquiry as the feeling of the people might have been ascertained in other ways. It was thought most desirable that the holding of the local inquiry should not be compulsory if it was clear that public opinion could be effectively ascertained by other means.

Amendment moved—

"In page 12, line 30, to leave out 'and' and to insert 'or by.'"—(*Lord Belper.*)

*THE EARL OF CREWE: I must remind my noble friend that he laid great stress on the public inquiry as constituting the difference between merely sending in an existing scheme and having it perforce accepted by the Board of Education, and knowing that that scheme was sanctified by public consent as shown at the public inquiry. If the words "or by" are inserted it is left entirely to the option of the authority whether they will hold an inquiry or select other means of arriving at local opinion. I could not agree to the Amendment, because it would seriously modify the effect of the clause.

LORD CLIFFORD OF CHUDLEIGH hoped the noble Earl would reconsider this point. Surely, if the schemes were published in every newspaper in the county and were well known to every one interested and no objection was raised, it was quite unnecessary to hold a public inquiry, which would be a mere matter of form, involving a great deal of needless trouble and expense. There ought to be some latitude in this matter. Where a public inquiry was necessary he was in favour of its being held.

*THE EARL OF CREWE: I can show from what happened in an earlier discussion how necessary a local inquiry might be. We had always been told that the whole of Lancashire was perfectly contented with the existing scheme. Viscount Cross said as much, and then my noble friend Lord Shuttleworth rose from the benches behind me and declared that parts of Lancashire with which he is acquainted are not satisfied. That is a point which would come out at a public local inquiry.

LORD AVEBURY could not help feeling that the Lord President might meet Lord Belper on this point, as it did not follow that a public local inquiry would be necessary in every case.

LORD SHUTTLEWORTH said he had verified the statement he made earlier in the day by referring to hon. Members representing parts of Lancashire. There was a very strong feeling in several of the urban districts of Lancashire that in this matter the county council were out of touch with local feeling, at all events, as represented by the Amendment put down on behalf of the county council, and that without local inquiries it would be impossible for the views of the localities to be ascertained.

LORD BELPER admitted that in many cases the inquiry would be necessary and would be held, but he thought county councils should be trusted in the matter, and that where it was obviously not necessary they should not be required to hold an inquiry. If, however, the view of the Government was that the county councils could not be trusted he would not press his Amendment, but perhaps at a later stage a provision would be inserted that the local inquiry should not be held unless in the opinion of the Board of Education it was necessary.

Amendment, by leave, withdrawn.

Consequential Amendments agreed to.

LORD BELPER moved to leave out sub-section (3), which is in the following terms:—

"The provisions of the scheme as to the powers and duties delegated, and as to the charging of expenses, shall be uniform as respects all the delegation areas in the county."

The County Councils Association, he said, had considered this matter very carefully, and had come to the conclusion that the sub-section as it stood would be extremely undesirable. It did more than any other part of the clause to keep the delegation within very narrow limits. They might have within the county a variety of differently constituted bodies, but the effect of this sub-section would be that the powers and duties delegated would have to be measured by the most incompetent authority in the county, and they would not be able to trust even those in whom they had the greatest confidence with larger powers than those conferred on very indifferent bodies. The only argument that he had heard against the Amendment was that it would cause great confusion if these matters were not kept uniform in every district. He had taken particular trouble to inquire whether that was likely to be the case, and he was told that no doubt it would make some difference in the keeping of the accounts, but that it would be perfectly easy to carry out if a county thought it desirable. In his opinion the enforcing of uniformity would do more to kill the delegation scheme than anything else.

Amendment moved—

"In page 13, lines 13 to 15, to leave out sub-section (3)."—(*Lord Belper.*)

LORD FITZMAURICE said the reason why the Government inserted the sub-section and why, as at present advised, they thought it their duty to retain it, was that there was a necessity to avoid the risk of increasing still further what was bound to be increased very much in any case—the very great complication of county accounts. Under existing legislation county finance, which used to be a matter of comparative simplicity, had become one of great intricacy, and the Government hesitated to increase the difficulties by allowing varying charges.

THE EARL OF CAMPERDOWN said the objection to accepting the Amendment, as stated by the Under-Secretary of State for Foreign Affairs, was clearly the objection of the Local Government auditor. In other words it was that accounts did not exist for the county but that the county existed for the accounts. It was purely red-tape objection. The Local Government auditor should accommodate himself to circumstances and not ask circumstances to accommodate themselves to him.

On Question, Amendment agreed to.

LORD BELPER moved to leave out the provision that—

"A representative body must be either—

"(*a*) a body elected for the purpose in manner provided by the scheme by the local government or parochial electors for the delegation area, on which women shall be capable of being elected; or (*b*) the council of a local government area, where that is possible owing to the delegation area being a single local government area; or (*c*) a body composed of members of the Councils of such local government areas wholly or partly situate in the delegation area as the scheme directs, and appointed by those Councils in such manner and proportions and subject to such conditions as may be provided by the scheme, and, if the scheme so directs, of additional members nominated in manner provided by the scheme, and not exceeding in number one-fourth of the total number of the representative body. For the purposes of this provision, in the case of a local government area being a parish not having a parish council, parochial electors shall be substituted for members of the parish council, and the parish meeting shall be substituted for the parish council,"

and to insert the following new sub-section—

"Every scheme shall specify the constitution and, if necessary, the mode of election of the local education committees, and the powers and duties to be delegated to them."

He said it would not be necessary for him to add much in regard to this Amendment, which was obviously meant to carry out the condition laid down by the County Councils Association in consenting to this clause, that they should have full latitude to constitute those bodies in whatever way they thought best. He did not in the least mean to infer that there might not be an enormous number of cases where some such proposal as that made in the Bill would be the means suggested for securing the best and most efficient body. The authority of a local government area such as an urban council would be the proper authority to which to give the powers where they were confident that the members took an interest in education and had had experience of the management of schools. Again, there might be districts where it would be desirable to have what was known as an *ad hoc* representative body elected for this special purpose; and in many scattered districts it might be very difficult indeed to get a proper authority for educational work in the way suggested in the clause as it stood. He thought it was obvious, for instance, that in the case of a scattered agricultural district with schools at some distance apart the only satisfactory way would be to obtain as many managers as possible and constitute them into a body with larger powers than managers were usually given. He appealed to the Government again in this matter to trust the education authorities and the county councils. They had been told that it was the principle of the Bill to trust the local authorities, but the clause under discussion rather suggested suspicion of every proposal the local authorities made, and the supposition that they would try and work in a way hostile to the interests of education in their county. The Government must have had experience themselves of the laborious days and nights that were spent by local education authorities in working the Education Act to the best of their ability; and did noble Lords suppose that these gentlemen, who had given up half their lives to promoting the educational interests of their county, would themselves constitute bodies which would be unsuitable and likely to be injurious to the educational system which they had done so much to build up? He hoped the Government would recognise that in this matter they were only anxious to do the best they could for the efficiency of these bodies in the different counties.

Amendment moved—

"In page 13, line 18, to leave out from 'contiguous' to the end of line 41, and to insert as a new sub-section: 'Every scheme shall specify the constitution and, if necessary, the mode of election of the local education committees, and the powers and duties to be delegated to them.'"—(*Lord Belper.*)

*THE EARL OF CREWE: Fortunately, I need not detain the Committee at any length upon this Amendment, because it is in effect the one on which we have already divided, and, therefore, it is quite unnecessary to go into the matter again. But I must point out to the Committee that the noble Lord is entirely in error if he thinks we are actuated in any degree by mistrust of the county councils in making the proposals involved in this clause. We express no mistrust whatever of the general operations of county councils in relation to education, and we fully recognise the admirable manner in which they have thrown themselves into their work and the laborious days and nights which they have spent in endeavouring to arrive at a satisfactory system of county education. But this clause deals only with the matter of delegation, upon which there evidently has been a considerable difference of opinion among different county councils in various parts of the country. We quite admit that it was the intention of the clause to make some scheme of real delegation compulsory on the county councils. The Committee apparently do not desire that that should be so; and if a county council wants to get out of proposing anything like a large scheme it will now be enabled to do so. We regret the fact; but, in view of the votes which have previously been given, we do not propose to put your Lordships to the trouble of dividing on this Amendment.

On Question, Amendment agreed to.

Consequential Amendment agreed to.

*LORD ZOUCHE OF HARYNGWORTH rose to move to omit from subsection (6) the words "having a population according to the last census of less than sixty-five thousand."

*THE EARL OF CREWE: I do not wish to interrupt the noble Lord, but is this Amendment in order? It appears to me to be equivalent to altering the word "shall" into "may," which the Committee have already decided not to do. The effect of it would be to allow any county not to submit a scheme, whereas we have in the beginning of the clause provided that they must submit a scheme.

*LORD ZOUCHE OF HARYNGWORTH said that if his Amendment was not in order he would say no more upon it.

*THE EARL OF CREWE: The effect of the noble Lord's Amendment would be that no county need submit a scheme, and we have already decided, in sub-section (1), that the council of every county shall submit a scheme. I do not know whether the fact that in this case a special report has to be made to the Board of Education will put the noble Lord in order, but I should have thought the practical effect of the Amendment would be to reverse the decision the Committee has arrived at.

THE CHAIRMAN OF COMMITTEES suggested that the noble Lord should compare his Amendment with the Bill as it would appear when reprinted, and, if he thought it necessary, he could move the Amendment on Report.

THE EARL OF CAMPERDOWN pointed out that the provision in the sub-section in question was to the effect that the council of a county having a population according to the last census of less than 65,000 might pass a Resolution that a scheme was not necessary in their case, having regard to the special circumstances of their county, and make a special report on the subject to the Board of Education, and then the Board of Education, if they thought fit, could exempt that council from the obligation to make a scheme under the section. The point involved in the Amendment was whether any county might do this, or whether the power was to be confined, as proposed in the clause, to a county having a population of less than 65,000. In his opinion the Amendment was quite in order.

VISCOUNT ST. ALDWYN hoped the noble Lord would not press the Amendment. For his part he would sooner make it compulsory on all counties than agree to the alteration suggested.

*LORD ZOUCHE OF HARYNGWORTH submitted that according to the Bill nearly the whole of the counties in England would be precluded from availing themselves of the saving provision in this sub-section, which seemed to afford an opportunity to those counties who had a well-considered scheme already in practical working order giving general satisfaction, though possibly not exactly within the lines laid down in the Bill, to state their case to the Board of Education. He did not know whether the provision had any mysterious connection with Wales, since a few Welsh counties were under the population limit named. His point was that it was a great pity that this saving proviso should be, as far as England was concerned, practically a nullity on account of a technical point as to population for which it was not easy to see a reason.

Amendment moved—

"In page 14, line 14, to leave out from the word 'county' to the word 'pass' in line 16.—(*Lord Zouche of Haryngworth.*)

THE EARL OF CREWE: The noble Lord has moved his Amendment and has described it as though the Bill remained as it was when introduced. When he says that all counties ought to be allowed to make schemes not of the character described in the Bill he forgets that owing to the Amendment of my noble friend Lord Belper that is exactly what they will be able to do. They will practically be able to prepare schemes of their own on their own lines. The noble Lord said he did not understand why counties under sixty-five thousand should be allowed to stand out and why larger counties should not have the same privilege. It was simply on the ground that the smaller bodies might be able to show very easily that there was no necessity for any kind of delegation at all in their case. For instance, to organise an elaborate system of county committees in Rutland would obviously be an unwise and even impossible thing to do. If the principle were extended to all counties, as the noble Lord desires, the Board of Education would have to go into the merits of the particular schemes, and that is exactly what the Board of Education are not prepared to do. If the noble Lord will study the whole of the clause he will see that at no point does the Board of Education express any opinion as to the advantage of any particular scheme. All they have to do is to say that the scheme carries out the clause as it stands.

*THE MARQUESS OF LANSDOWNE: I hope the noble Lord will not press his Amendment. As I understand it, this sub-section is intended to establish an exception to the general rule. The general rule is this, that all counties are held bound to prepare schemes, and the object of this sub-section is to relieve certain very small counties of the obligation of preparing such schemes. The Amendment of the noble Lord would have the effect of relieving all counties of the necessity of preparing these schemes. You first set up a general rule and then propose to relieve everybody of it. That seems scarcely consistent with the intention of the clause; and it must also be borne in mind that, if all counties are relieved of this obligation, a considerable amount of extra work will be thrown on the Board of Education.

Amendment, by leave withdrawn.

Consequential Amendments agreed to.

THE EARL OF DARTMOUTH, in the absence of the Marquess of Huntly, moved the insertion of a new sub-section to provide compensation to officials who would suffer direct pecuniary loss by the abolition of office or by diminution or loss of fees or salary under this Bill. He understood from his noble friend, Lord Huntly, that, with a slight alteration in wording, the Government were prepared to accept the Amendment. He thought the Committee would be of one opinion as to the justice of some compensation being provided in this case.

Amendment moved—

"In page 15, line 10, after 'area' to insert as new sub-sections: (11) Section 120 of the Local Government Act, 1888, which relates to compensation to existing officers, shall apply to any officers who, by virtue of this Act or anything done in pursuance or in consequence of this Act, shall suffer direct pecuniary loss by abolition of office or by diminution or loss of fees or salary, subject as follows: (*a*) Any reference in that section to the county council shall include a reference to a borough or urban district council; and (*b*) Any expenses shall be paid out of the fund or rate out of which the expenses of a council under this Act are paid, and if any compensation is payable otherwise than by way of an annual sum, the payment of that compensation shall be a purpose for which a council may borrow for the purposes of this Act. (12) Nothing in this clause shall prevent the local education authority from delegating to school committees, as constituted by this Act, any of its powers and duties which may be delegated under Section 1 of this clause.'"—(*The Earl of Dartmouth.*)

*THE EARL OF CREWE: I think my noble friend rather went beyond the mark when he said that the Government were prepared to accept this Amendment with some slight variation. When we first saw it we felt considerable alarm, because if everybody in the employment of a county council, possibly including a teacher, who thought that he was in any way damaged by this Act, could apply for compensation an alarming prospect was opened. But I understand that the noble Marquess really only intended that it was to be in consequence of the delegation schemes, and that, of course, considerably limits the possibility. But there are one or two considerations that I am bound to point out. I would ask the noble Earl whether it is wise for him to press the Amendment. In the first place I imagine the cases would not be numerous or the amounts large. That, no doubt, might be taken as a reason for not objecting; but it certainly does show that if this Amendment is not agreed to, it is very questionable whether any hardship would be undergone, except in the rarest cases, by individual officers. Though it is possible that the delegation clause may throw some officials out of work so far as regards that particular work, I think your Lordships will agree that the taking over of the schools and matters of that kind will probably involve a considerable amount of clerical work which would probably have to be done by the very people whose delegation work might possibly be lost to them. Then the noble Earl was not accurate in saying that it was the custom to compensate officers when thrown out of work by the operation of an Act of Parliament. What has been done under the Act of 1902 and under a good many Acts has been to compensate people when the body which they serve is altogether done away with. Thus, for instance, when the school boards were abolished the officers of the school boards were compensated, but in this case no body is done away with. The point here is that there is a possibility that some particular work may be lost to particular people owing to the action of Parliament, and I am not sure that it would not be establishing a somewhat dangerous precedent to enact compensation in this particular case. I ask whether it is wise for your Lordships to insert an Amendment the object of which is simply and solely to throw an additional charge on the public funds.

THE MARQUESS OF LONDONDERRY said he did not propose to ask the noble

Earl to press the Amendment, but at the same time he thought there was much to be said on behalf of those officials who would, under the delegation scheme, be thrown out of employment. It was distinctly hard that these officials, who had rendered such good service to the cause of education in the past, should be left without any consideration. In the Act of 1902 special provision was made for the displaced officers.

*THE EARL OF CREWE: Yes, through the abolition of the body which they served. That is not a parallel case.

THE MARQUESS OF LONDONDERRY agreed that it would not be justifiable for their Lordships to pass an Amendment placing an extra burden on the rates, but he thought that in the interests of the public service it would be well if the noble Earl would consider whether it was right that officials who had devoted the best years of their lives to the service of education should now be left absolutely in the cold.

THE EARL OF DARTMOUTH said he had no desire to press the Amendment.

Amendment, by leave, withdrawn.

Moved, "That Clause 15, as amended, stand part of the Bill."

LORD WENLOCK called attention to a remark which had fallen from the Lord President with regard to the action of county councils in the past. He understood his noble friend to say that it was in consequence of the backwardness of certain county councils that it was found necessary to introduce the present clause, making it compulsory on them to submit schemes of delegation. He had some difficulty in reconciling the noble Earl's argument with the fact that when the Government introduced this particular clause in the first instance they gave county councils an opportunity of evading the obligation which was now placed upon them. Therefore, he could hardly think that at the time the Government prepared this measure they considered that county councils had been backward in the discharge of their duty. He greatly regretted the use by the noble Earl of this expression. It had now been settled that all county councils were to prepare schemes, and he hoped that with the safeguards introduced by his noble friend, Lord Belper, they would be able to work the clause satisfactorily. But, at the same time, he wished to enter a protest against any reflection being cast upon the way in which county councils had discharged their duty in the past in preparing schemes.

*THE EARL OF CREWE: I regret most sincerely if the noble Lord thinks I meant to cast any aspersion on the general character of any county council, and I am quite prepared to admit, if it gives my noble friend any pleasure, that the whole question of delegation might, under the Act of 1902, be regarded rather more as a matter of opinion than as a matter of duty.

On Question, Motion agreed to.

House resumed, and to be again in Committee to-morrow.

House adjourned at twenty-five minutes past Eleven o'clock till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS.

Tuesday, 20th November, 1906.

The House met at a quarter before Three of the Clock.

NEW WRIT.

For the Borough of Huddersfield, in the room of Sir James Thomas Woodhouse, knight (a Commissioner of Railways).—(*Mr. Whiteley.*)

PRIVATE BILL BUSINESS.

Blairgowrie, Rattray, and District Water Order Confirmation Bill. Read the third time, and passed.

Edinburgh Corporation (Superannuation) Order Confirmation Bill. "To confirm a Provisional Order under The Private Legislation Procedure (Scotland) Act, 1899, relating to Edinburgh Corporation (Superannuation)," presented by Mr. Sinclair, and ordered (under Section 7 of the Act) to be considered upon Thursday.

MESSAGE FROM THE LORDS.

That they have agreed to, Clydebank and District Water and Burgh Extension Order Confirmation Bill, Metropolitan Electric Supply Bill.

Amendments to Dover Harbour (Works, etc.) Bill [Lords], without Amendment.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL (RELIGIOUS TEACHING).

Two Petitions from Wistanstow, against alteration of law; to lie upon the Table.

LOCAL AUTHORITIES (QUALIFICATION OF WOMEN) BILL.

Petition from Mile End, in favour; to lie upon the Table.

PARLIAMENTARY FRANCHISE.

Petitions for extension to women from Bromham; Crossgates; Leytonstone; and Teignmouth; to lie upon the Table.

RETURNS, REPORTS, ETC.

ROYAL HIBERNIAN ACADEMY AND METROPOLITAN SCHOOL OF ART, DUBLIN.

Copy presented, of Report by the Committee of Inquiry into the work carried on by the Royal Hibernian Academy and the Metropolitan School of Art, Dublin, together with Minutes of Evidence, Appendices, and Index (by Command); to lie upon the Table.

SCIENTIFIC SOCIETIES (GOVERNMENT GRANTS).

Return presented, relative thereto (ordered 25th July; Mr. Gulland); to lie upon the Table.

BANK OF ENGLAND.

Copy presented, of Return of the amount of notes issued more than forty years which have not been presented for payment, and which have been written off on the 13th November, 1906, from the total amount of Notes issued from the Issue Department of the Bank of England (by Act); to lie upon the Table.

TRADE REPORTS (ANNUAL SERIES).

Copies presented, of Diplomatic and Consular Reports, Annual Series, Nos. 3732 and 3733 (by Command); to lie upon the Table.

COOLIE LABOUR.

Return presented, relative thereto (Address 26th March; Mr. Nield); to lie upon the Table, and to be printed. (No. 357.)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Seamen, Marines, and Stokers in Royal Naval Barracks on 4th and 5th November.

MR. BELLAIRS (Lynn Regis): To ask the Secretary to the Admiralty how many seamen, marines, and stokers respectively were borne on the books of the Royal Naval Barracks on 5th November; how many of each class were in barracks on the nights of 4th November and 5th November when the rioting took place; and whether marines have since been drafted for regular duties into the Royal Naval Barracks.

(*Answered by Mr. Edmund Robertson.*) The numbers asked for are as follows:—

	Seamen.	Marines.	Stokers.
Borne on the 5th November - - - - -	2,152	169	1,505
In Barracks on night of 4th November - - -	1,316	43	433
In Barracks on night of 5th November - - -	1,195	37	493

No marines have been drafted to the Royal Naval Barracks for duties in the barracks, but 100 marines have been accommodated for street patrol duties.

Grievance of Mr. W. J. Tapling, Town Postman at Birkenhead.

MR. JAMES O'CONNOR (Wicklow, W.): To ask the Postmaster-General whether he is aware that Mr. W. J. Tapling, town postman at Birkenhead, has been acting as sorting clerk for long periods during the last four years to the entire satisfaction of his superiors, and yet is denied the opportunity to qualify for the appointment of sorting clerk; and whether he will take steps to remove the grievance complained of.

(*Answered by Mr. Sydney Buxton.*) The case of Mr. W. J. Tapling is under my consideration.

The Channel Fleet—Leave at Christmas.

SIR JOHN BENN (Devonport): To ask the Secretary to the Admiralty whether he will make inquiries as to the possibility of the Channel Fleet spending Christmas in England; whether he is aware that at Christmas, 1905, the Atlantic Fleet was called home for the Christmas leave, and the Channel Fleet was sent away, and that after this year's manœuvres the ships of the Atlantic Fleet proceeded to their respective ports and gave seven days leave, while the Channel Fleet returned to Portland and only gave four days leave; and whether it is proposed that the Channel Fleet, which is due to arrive at Portland on or about the 29th instant, is only to have three or four days leave, and then proceed to Vigo, thus again spending Christmas away.

(*Answered by Mr. Edmund Robertson.*) The Channel Fleet ships undergo their annual refit in the home dockyards, and then their crews obtain fourteen days' leave by watches. The ships of the Atlantic Fleet, being refitted at Gibraltar, do not have this advantage, and so leave at Christmas is afforded to them in lieu.

West African Railways.

SIR WILLIAM HOLLAND (Yorkshire, W.R., Rotherham): To ask the Under-Secretary of State for the Colonies whether, in regard to the Sierra Leone, the Gold Coast, the Lagos, and the Uganda railways, he can furnish the following particulars, total length in miles, total cost, cost per mile, length of time under construction, length of time open for traffic, and estimated surplus over working expenses towards the cost of interest and sinking fund in the last twelve months.

(*Answered by Mr. Churchill.*) The particulars asked for by the hon. Member are as follows:—

	Total length in miles. (1)	Total cost. (2)	Cost per mile. (3)	Time under construction. (4)	Time open for traffic. (5)	(Estimated) Surplus over working expenses, in last 12 months. (6)
		£	£			To 31st Dec. 1905.
Sierra Leone (2′ 6″ gauge)	226½	993,870	4,388	8 years	To Baiima since 23rd Aug. 1905	£6,336
Gold Coast (3′ 6″ gauge)	168	1,781,756	10,606	5 years	To Kumasi since 1st Oct. 1903	£47,941
Lagos (now Southern Nigeria) (3″ 6″ gauge)	125	882,961	7,064	4½ years	To Ibadan since Mar. 1901	£15,873
Uganda Railway (3′ 3″ gauge)	584	5,398,734	9,244	5½ years	1st March 1902	£56,678

Endowment of the Bishopric of Singapore.

Mr. MASSIE (Wiltshire, Cricklade): To ask the Under Secretary of State the Colonies whether he is aware that at a meeting of the State Council of the Native State of Selangor, held at Kuala Lumpur on 13th August, 1906, a sum of 7,500 dollars was appropriated, at the instance of the British Resident, towards the endowment of a bishopric of Singapore, a British Colony; and whether he will take steps to prevent this taxation of the Mohammedan and Chinese population of a native State in aid of a foreign Christian institution.

(*Answered by Mr. Churchill.*) The new diocese for which this sum was voted includes the Federated Malay States as well as the Straits Settlements. In accordance with the Secretary of State's instructions, it was carefully explained to the Sultan and the native Members of Council that the proposal to grant this sum was in no way pressed upon them, and that it was entirely within their discretion to make or refuse the grant. The native members unanimously approved the vote. The Secretary of State as at present advised sees no reason for interference.

Postal Deliveries at Carrigallen.

Mr. THOMAS F. SMYTH (Leitrim, S.): To ask the Postmaster-General if a second daily delivery of letters will be given to Carrigallen, as the people of that locality suffer inconvenience at present from having only one delivery.

(*Answered by Mr. Sydney Buxton.*) I have looked again into this question; but in view of the high cost of the existing service to Carrigallen as compared with the amount of correspondence, I am sorry to find I should not be justified in affording the further facility desired.

Imprisonment for Contempt of Court.

Sir SAMUEL SCOTT (Marylebone, W.): To ask Mr. Attorney-General, in how many cases, including high court and county court, were orders for committal in respect of non-compliance with orders for monetary payments made during the last ten years; how many of the 82,590 persons said to have suffered imprisonment during the last ten years for non-compliance with orders of the court for monetary payments were so imprisoned in respect of a judgment debt of £2 or under that sum; and how many of the said number were so imprisoned where the judgment debt was in respect of money lent or interest thereon.

(*Answered by Sir John Walton.*) The Attorney-General much regrets that he has not the information asked for. He has no Department, and is able to Answer those Questions only which fall within his personal knowledge. He has made inquiry upon the subject of the Home Secretary, who states that the information required is not in the possession of his Department, and that he believes that it does not exist.

Fines for Irregular School Attendances—Case of William Carrington, of Walsall.

Mr. WARDLE (Stockport): To ask the Secretary of State for the Home Department if his attention has been called to the case of William Carrington, tried at the Walsall Police Court on 5th November, in which William Carrington was fined 2s. 6d. for the irregular attendance of his daughter, notwithstanding that Dr. Stead certified that the child in question was suffering from heart disease and St. Vitus' dance and had been kept at home by his express instructions; and whether he proposes to take any action in the matter.

(*Answered by Mr. Secretary Gladstone.*) My attention has not previously been called to the case, but I will make inquiries into it.

Sale of the Beresford Estate, County Carlow.

Mr. HAMMOND (Carlow): To ask the Chief Secretary to the Lord Lieutenant of Ireland whether he is aware that the Estates Commissioners have already advanced purchase money on the Beresford estate, Carlow County; that the farm at Kilcloney, on the same estate, from which Mr. Walters had been evicted, can be regarded as a separate estate; that the vendor agreed to accept the amount of purchase money allocated for this farm by the inspector of the Estates Commissioners, and that the evicted tenant agreed to buy on the same terms; and, under these circumstances, why has the purchase money for this farm not been advanced, and why has the evicted tenant not been reinstated.

(*Answered by Mr. Bryce.*) I am informed by the Estates Commissioners that a portion of the estate in question has been sold by the landlord to the tenants by direct sale. The Commissioners are in negotiation for the purchase of the residue of the estate, including the townland of Kilcloney, upon which it is proposed to reinstate certain evicted tenants. The sale has not yet been completed, owing to a difficulty concerning a right of way for the landlord to which objection is made by one of the evicted tenants proposed to be reinstated. The matter is under consideration.

Purchase of the Earl of Drogheda's Estate, Queen's County—Arrears of Rent.

MR. DELANY (Queen's County, Ossory): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that in the proposed sale of the estate of the Earl of Drogheda, near Rosenallis, Queen's county, to the tenants, arrears amounting to from one to one and a half's years rent have been added to the purchase; and, in view of this procedure and the terms of purchase agreed upon, amounting in some instances to 26·3 years purchase of existing rents, can he say whether the Estates Commissioners are prepared to sanction the sale.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that the case of the estate in question is at present in the hands of their inspector, who has been directed to make an inspection and furnish a report thereon. No ruling as to sanction or otherwise will be made by the Estates Commissioners until they have their inspector's report before them, and the matter referred to in the Question will be then duly considered.

Irish Evicted Tenants—Claims of Peter Malone.

MR. DELANY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state upon what grounds the Estates Commissioners reject the claims of Peter Malone, whose father was evicted from a holding on the Sandes estate, Garrymore, Mountmellick, seeing that he has two sisters to provide for, and that the farm he occupies, though nominally one of 70 acres, contains only 12 acres of arable land.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that, after full consideration of the merits of the case referred to and the report of their inspector thereon, they decided, in the exercise of their discretion, not to take any action towards bringing about the reinstatement of Peter Malone in the holding from which his father was evicted.

Applications for Re-instatement of Evicted Tenants at Carrigallen.

MR. THOMAS F. SMYTH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if the Estates Commissioners have received applications for reinstatement from the following evicted tenants in the vicinity of Carrigallen, county Leitrim, viz., Francis Donlon, Errew, on the Latouche estate, Patrick Prunty, Kilbracken, on the estate of Colonel Penefeather, Patrick Reilly, Killahurk, on the estate of Colonel Storey, and Francis O'Rourke (as representative of Francis Masterson), Tully North, on the estate of the Earl of Leitrim; and what decision, if any, has been come to by the Commissioners in those cases.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that applications for reinstatement have been received from Francis Donlon, Patrick Prunty, and Francis O'Rourke, but not from Patrick Reilly. The applications of Donlon and O'Rourke have been referred to an inspector for inquiry and report, but no steps have yet been taken upon the application of Patrick Prunty, which was only recently received. The Commissioners have not yet come to a decision in any of these cases.

QUESTIONS IN THE HOUSE.

Naval Courts Martial.

MR. BRAMSDON (Portsmouth): I beg to ask the Secretary to the Admiralty whether the Departmental Committee appointed some time ago by the Admiralty for the purpose of inquiring into the subject of courts martial and punishments in the Navy generally has concluded its labours; and, if so, whether the House will be afforded any opportunity of knowing what recommendations have been made by such Committee.

THE SECRETARY TO THE ADMIRALTY (Mr. EDMUND ROBERTSON, Dundee): The Committee appointed to inquire into the question of procedure at courts martial is still sitting, but hopes to be able to report at an early date.

Case of John Beer, Royal Marine Artillery.

MR. BRAMSDON: I beg to ask the Secretary to the Admiralty whether his attention has been called to the sentence of eighteen calendar months imprisonment with hard labour recently inflicted by a naval court martial at Malta upon John Beer, a gunner in the Royal Marine Artillery, of the battleship "Queen," convicted of behaving with contempt to and attempting to strike with a weapon a superior officer, also with striking and making use of threatening and insulting language; whether he will state what was the nature of the weapon as well as of the striking referred to, the age of the prisoner, and whether he was sober at the time, and what his previous character was; did the whole of the charges arise out of one transaction and occur on board ship or, if not, where; and what is the rating of the superior officer referred to, and has the sentence been confirmed by the Admiralty.

MR. EDMUND ROBERTSON: The particulars set out in the first part of my hon. friend's Question are correct. The weapon was a mess kettle, and the striking was a kick in the thigh. The prisoner, whose age is twenty-eight, was sober at the time, and his previous character was "good." The whole of the charges (five in number) arose out of one incident which occurred on board the "Queen," and the superior officers were all sergeants of the Royal Marine Artillery. The Judge-Advocate of the Fleet has pronounced the charges to be in order, the proceedings regular, and the sentence in due form and within the powers of the Court, and the Admiralty have decided that the sentence shall be carried out.

Flogging in the Navy.

MR. BYLES (Salford, N.): I beg to ask the Secretary to the Admiralty if the punishment of flogging in the Navy is now entirely abolished; and, if not, will he state the regulations now in force which sanction it.

MR. EDMUND ROBERTSON: As I stated in the course of the debate on the Address on 21st February, flogging and birching, though still in the list of punishments authorised by the Naval Discipline Act, have been suspended by Admiralty order, the former since 1881, and the latter since 30th January last. The King's Regulations authorise caning on the breech with the clothes on in the case of boys and buglers under eighteen, but by Admiralty orders dated 2nd March, 1906, this punishment is only to be inflicted under the actual order of the captain, and is not to be carried out in public.

Tristan da Cunha.

MR. HICKS BEACH (Gloucestershire, Tewkesbury): I beg to ask the Secretary to the Admiralty whether it is proposed to send a warship to the Island of Tristan da Cunha this year; what period has elapsed since the last warship was sent; and, in the event of no warship being available, whether a mail will be despatched by any other means.

MR. EDMUND ROBERTSON: The Admiralty are now in communication with the Colonial Office as to the best method for securing communication from time to time with Tristan da Cunha. The expense of sending a man-of-war on a special mission of 3,200 miles is very great.

Contractors and Admiralty Secrets.

MR. CHIOZZA MONEY (Paddington, N.): I beg to ask the Secretary to the Admiralty whether any, and, if any, precisely what guarantees of secrecy are exacted from private contractors who are permitted to visit Woolwich Arsenal to copy designs for new torpedoes; and whether, in the interests of national defence, he will confine the manufacture of such newly designed torpedoes to Government workshops.

MR. EDMUND ROBERTSON: Private contractors, equally with Government officials, are bound to observe secrecy under the Official Secrets Acts. It has been considered to be in the interests of national defence to have an alternative source of supply in the case of torpedoes as well as of guns, ships and other warlike implements.

Manufacture of Guns at Woolwich Arsenal.

MR. BELLAIRS (Lynn Regis): I beg to ask the Secretary to the Admiralty whether the heavy guns of the 12-inch, Mark VIII. pattern, as fitted in fifteen of our battleships, are a Woolwich design; and whether a number of these guns made in Woolwich Arsenal were shifted last year owing to serious defects.

MR. EDMUND ROBERTSON: The Answer to the first part of the Question is in the affirmative. Some of the guns of Woolwich manufacture were removed from ships last year for adjustment, and have since been re-issued. The defects were not considered serious.

German Gun and Torpedo Manufactures.

MR. BELLAIRS: I beg to ask the Secretary to the Admiralty whether it is the practice of the German Admiralty to order their torpedoes and guns entirely from private establishments.

MR. EDMUND ROBERTSON: As the German Admiralty have themselves made no public announcement as to their practice in this matter, I submit to my hon. friend that it would seem to be beyond the province of the British Admiralty to make any statement on the subject.

Crimean Veterans—Case of W. Geoghegan, of Tullamore.

MR. DELANY (Queen's County, Ossory): I beg to ask the Secretary of State for War whether he is aware that William Geoghegan, Tullamore, an old Crimean soldier, is at present subsisting on 1s. 6d. per week out door relief granted him by the local board of guardians; that Geoghegan was wounded in Sebastopol, and his brother killed at Inkerman; and, seeing that Geoghegan is 74 years of age and no longer able to work, and holds a medal for bravery at Sebastopol, will he say what course he proposes to take in this case to relieve the local rates from the cost of supporting this old soldier.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): I have been in communication with the hon. Member on this case. It appears from the man's records that he did not land in the Crimea till October, 1855, nearly a month after the siege was over, and was therefore not entitled to receive the Crimean medal. The statement that he was wounded in Sebastopol is quite uncorroborated. The Crimean medal stated to be in his possession was not issued to him by this Department, and, moreover, he informed the Chelsea Commissioners in 1902 that he had lost his Crimean medal. Under these circumstances Geoghegan is not entitled to a pension.

Sofas for the New War Office.

MR. MACVEAGH (Down, S.): I beg to ask the Secretary of State for War whether he can state the total number of sofas contracted to be supplied to the new War Office.

MR. HALDANE: One new sofa has been authorised for the resident clerks in the new War Office, and it is proposed to ask for an additional sofa for the use of the lady typists for cases of fainting.

Vaccination in India.

MR. LUPTON (Lincolnshire, Sleaford): I beg to ask the Secretary of State for India if he is aware that during the season of 1903–4, 2,748,638 persons were vaccinated in Bengal, and that of that number 2,066,716 were vaccinated with human lymph; that in the Bombay Presidency human lymph continues to be used for vaccination in the majority of cases; that the use of human lymph in India is liable to propagate leprosy, a disease that is on the increase; and whether, in view of the liability of propagating other bad diseases, and of the fact that, owing to the heat of the climate, glycerinated calf lymph does not keep well, he will put a stop to this system of vaccination, seeing that the re-vaccinated British troops are not exempt from smallpox.

THE UNDER-SECRETARY FOR INDIA (Mr. John ELLIS, Nottinghamshire, Rushcliffe): Bengal and Bombay for special causes are behind other parts of India in introducing calf lymph, but both provinces are endeavouring to extend its use, and thereby reduce the risk of communicating disease. The method of preserving calf lymph in India in an aseptic form has of late years been improved, and the preparations now made are reported to withstand the climate. In the meantime the Secretary of State cannot undertake to stop the present system of vaccination.

MR. LUPTON asked if it were not the fact that smallpox in India was not diminished by vaccination and——

*MR. SPEAKER: The hon. Member is endeavouring to get in a speech.

White Labour in the Rand Mines.

SIR HOWARD VINCENT (Sheffield, Central): I beg to ask the Under-Secretary of State for the Colonies if the official Returns in the Colonial Office materially traverse the statement that the employment of whites upon the producing mines of the rand increased from 10,122 in May, 1904, to 14,927, or 47 per cent., in August, 1906.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): It should be borne in mind that a non-producing mine becomes a producing mine as soon as the shaft strikes the auriferous reef, and persons working in it are by this simple fact transferred to a producing mine.

SIR HOWARD VINCENT: I did not ask as to that.

MR. CHURCHILL: The number of persons employed in producing mines upon the Rand has tended therefore steadily to increase during the period specified in the Question of the hon. and gallant Gentleman and his figures are in substance correct. But it would be erroneous to suppose that these figures indicate a higher proportion of white men to coloured, of white men to stamps working or to output produced, or to profit realised, or even of drills to stamps; for in every one of these particulars the conditions of the industry have deteriorated during the period in question.

SIR HOWARD VINCENT asked if it was usual for a Minister in replying to a Question to volunteer information not asked for.

MR. CHURCHILL: In answering the Question I was anxious that my Answer should not mislead the House.

Tristan da Cunha.

MR. HICKS BEACH: I beg to ask the Under-Secretary of State for the Colonies whether the Colonial Office has at any time suggested to any of the missionary societies that a minister of religion should be sent to the Island of Tristan da Cunha; whether a clergyman has recently gone there; and whether any request for a mail to be sent there has been received from any of the inhabitants of the island.

MR. CHURCHILL: The Society for the Propagation of the Gospel has been approached in the matter, but the clergyman who is now resident on the island, the Reverend J. G. Barrow, offered his services independently. Letters have been received from the inhabitants indicating the possibility of a shortage of provisions and expressing hopes that a ship may be sent to the island. The question of arranging for an early visit to the island is engaging the attention of the Admiralty and the Colonial Office.

Public Works in Mauritius.

MR. BOLAND (Kerry, S.): I beg to ask the Secretary of State for War whether he is aware that, in consequence of the expenditure of the local government in Mauritius for military purposes, works of general benefit to the residents, such as the creating of a disinfecting station, the foundation of a bacteriological institute, and a regular scientific campaign against malarial fever, have had to be adjourned over and over again; and can he say whether there is any possibility of these works being now undertaken.

MR. CHURCHILL: I have been asked by my right hon. friend to answer this Question. The reply to the first part is in the negative. A director has been engaged for the bacteriological institute, a disinfecting station exists, and the Mauritius Government are considering how further measures against malaria can best be taken.

International Police for Morocco.

MR ASHLEY (Lancashire, Blackpool): I beg to ask the Secretary of State for Foreign Affairs if he can state what progress has been made in the formation of the international police force in the coast towns of Morocco, in view of the continued unrest existing among the native population.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (Sir EDWARD GREY, Northumberland, Berwick): The forming of the regular police force as contemplated by the Act of the Algeciras Conference will not be completed till after the ratification of the Act, which will, I trust, not be long delayed. In the meantime, the question of what measures, if any, may be required for protection against outbreaks of disorder has received the attention of the two Governments who are most concerned with the situation at Tangier.

German South-West Africa.

MR. ASHLEY: I beg to ask the Secretary of State for Foreign Affairs if he will make representations to the German Imperial Government in order to insure the more adequate policing of the southern border of German South-West Africa.

SIR EDWARD GREY: I presume the hon. Member refers to the recent raid by the man Ferreira and a few followers of his. It is recognised by both the local Governments of the Cape Colony and of German South-West Africa that consideration must be paid to the large extent of the frontier and to the impossibility of maintaining a sufficient body of men on either side to prevent all chance movements across the border. The only action taken in regard to the Ferreira raid has been the communication made by the Governor of the Cape Colony to the Governor of German South-West Africa, to which the Under-Secretary for the Colonies referred in his Answer on the 12th instant[†]. Full details are not yet in the possession of His Majesty's Government, but when received they will be communicated to the German Government.

MR. ASHLEY: And will they be communicated to this House?

SIR EDWARD GREY: I think it is unusual to promise to lay any Papers before they are received and considered.

Macedonia.

*MR. REES (Montgomery Boroughs): I beg to ask the Secretary of State for Foreign Affairs whether, under Article 12 of the agreement between the Turkish Government and the Imperial Ottoman Bank, which is confirmed by Article 1 of the Règlement for Macedonia, it is provided that the deficit in the Macedonian Budget shall be met by drafts on the present yield of the existing customs duties; whether such deficit is at present substantially made good; and whether, in that case, the additional revenue to be raised by the three per cent. increase in the customs duties will set free for other purposes such funds at present expended on the administration of Macedonia.

SIR EDWARD GREY: We understand that the Turkish Government are wholly unable to meet out of existing revenues the obligations imposed upon them by Article 12 of the agreement with the Ottoman Bank, and in fact the last deficit has not yet been made good. With regard to the last paragraph of the Question, I would refer the hon. Member to the Answer I gave him on the 14th instant[‡].

Dangerous Trades.

MR. JOWETT (Bradford, W.): I beg to ask the Secretary of State for the Home Department whether he is aware that, during the first nine months of the present year, 483 cases of poisoning have occurred among workers in various industries; and whether he can promise early legislation with a view to dealing more effectively with the industries in which the cases occur.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): Yes, I am aware of these statistics of poisoning cases for the current year which are compiled by my Department. The Home Office has very full powers under the Factory Act of dealing with dangerous trades, in particular by the issue of regulations under Part IV. of the Act. That its action has been attended by a considerable measure of success is, I think, shown by the fact that the number of cases of poisoning has fallen from 1,331 in 1899 to 663 in 1905, a reduction of 50 per cent. in six years. Earlier in the session I laid on the Table of the House a memorandum showing the action taken by the Home Office with regard to dangerous trades, to which I would refer the hon. Member. Further codes of regulations are in preparation, among which I may mention a code for the horse-hair industries in connection with anthrax, and the revision of the existing codes for paints and colours and the enamelling of metals, which have been found to be inadequate. I may also mention that I am inquiring into the use of poisonous woods in certain manufactures. I do not think I can usefully propose further legislation on the subject at the present time, but, as the hon. Member is aware, the Government are taking an important step, and one which I anticipate will have beneficial results, in bringing industrial poisoning within the scope of the Workmen's Compensation Bill.

[†] See (4) *Debates*, clxiv, 1053-4.

[‡] See (4) *Debates* clxiv, 1492.

Catford Vaccination Prosecution.

MR. LUPTON: I beg to ask the Secretary of State for the Home Department if his attention has been called to the case of E. M. Walden, of 37, Medusa Road, Catford, who has been summoned for not vaccinating his youngest child, he having been refused an exemption certificate on two successive occasions at the Greenwich police court by Mr. Kettle and another magistrate, notwithstanding that the same court had on two previous occasions given him exemption certificates in the case of other children; and what steps he proposes to take to prevent such treatment of conscientious objectors.

MR. GLADSTONE: I regret that I can add nothing to the Answer which I gave to the hon. Member on the 14th instant.† As I then said, the only remedy for the anomalies which at present occur lies in an alteration of the law, and legislation for this purpose would be in the hands of my right hon. friend the President of the Local Government Board.

County Court Procedure.

* MR. REES: I beg to ask the Secretary of State for the Home Department whether he is aware that persons summoned as defendants in county courts are generally required to attend at 9.30 a.m.; that such persons frequently learn, after losing a day in waiting, that the plaintiff has not paid the hearing fee, and that the case is struck off; and whether, in order to the saving of time of witnesses and parties, he will appoint some individual in each county court whose duty it would be to inform parties and witnesses as early as may be that their further attendance is not required.

MR. GLADSTONE: I have no jurisdiction over county courts and have no power to appoint their officers, but I will communicate the question to the Lord Chancellor, who will no doubt cause such inquiries to be made as may be necessary.

The Post Office and the Unemployed.

MR. BROOKE (Tower Hamlets, Bow and Bromley): I beg to ask the Postmaster-General whether he can make any arrangements wherby a certain number of the unemployed on the list of the Central Unemployed Committee in London can be taken on as temporary auxiliaries for post office work at the time of the Christmas pressure.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): I am glad to be able to inform my hon. friend that some weeks ago I communicated with the Central Unemployed Committee in London informing them that, if they desired, I would make arrangements whereby a certain number of suitable persons on their lists should receive employment as temporary auxiliaries for post office work during the time of Christmas pressure. I stated that I should desire to give preference to married men, and that, of course, it was important that those who were selected should have some knowledge of the work or some aptitude for it. About 400 men recommended by the Committee have been engaged, some of whom will begin work on the 22nd instant, and others on subsequent dates. I may add, in regard generally to the temporary auxiliaries employed by the Post Office, that I have raised the limit of age from forty to forty-five, and given instructions that preference is to be given to married men.

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† See (4) *Debates*, clxiv., 1462.

School Baths.

MR. JOWETT: I beg to ask the President of the Board of Education whether his attention has been called to a Report recently issued by the London County Council, giving particulars as to school baths in Germany and Holland; and whether in view of the advantages possessed by the school children of the two countries named from the use of such baths, he will take steps, at an early date, leading to the general application of the same system in this country.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. BIRRELL, Bristol, N.): I have seen the valuable and intesting Report referred to in the Question, and I should hope that the very practical information which it contains may tend in the direction desired by the hon. Member towards a more general application of the system in this country. But to make it in any way compulsory would require legislation, which I am not prepared to undertake. Many local education authorities in this country are already putting into effect their powers under the Baths and Washhouses Acts.

Railway Servants—Hours of Labour.

MR. HUDSON (Newcastle-on-Tyne): I beg to ask the President of the Board of Trade whether in view of the many cases of excessive hours being worked on the different railways, he proposes to introduce any new and effective legislation amending the Hours Act of 1893, which will remove the onus of complaint from the men to the officers of the State Department.

*THE PARLIAMENTARY SECRETARY TO THE BOARD OF TRADE (Mr. KEARLEY, Devonport): My right hon. friend is not at present disposed to introduce a Bill transferring the initiative in this matter from the men directly concerned to a departmental official. All complaints made by men as to excessive hours are treated as confidential.

Hull Level Crossings Signal Boxes.

MR. HUDSON: I beg to ask the President of the Board of Trade if his attention has been called to the long hours worked by the gate signalmen at the St. George's Road and Hawthorne Avenue Level Crossings, Hull, on the North Eastern Railway; if he is aware that these men commence duty at 9.45 a.m. on Sundays, and remain on duty until 6 a.m. on Mondays, a period of twenty hours and fifteen minutes, and then do five turns of twelve hour shifts, and one of thirteen hours on night duty, making a total of ninety-three hours and fifteen minutes for the week on the main passenger line; and what action he proposes to take in the matter.

*MR. KEARLEY: This is the first that the Board of Trade have heard of this complaint of extremely long hours, and they have communicated the hon. Member's Question to the railway company, and are now awaiting their reply.

Liverpool Vaccination Case.

MR. LUPTON: I beg to ask the President of the Local Government Board if his attention has been called to the death of an infant, as the result of vaccination performed when only a week old, in the Liverpool Lying-in Hospital; if he has received a resolution referring to this from the Liverpool and District Anti-Vaccination League; and what action he proposes to take to stop the practice of vaccinating newly-born infants.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. RUNCIMAN, Dewsbury): My right hon. friend has seen a newspaper report of the inquest in this case, from which it would appear that the death of the child took place from blood-poisoning; but that, according to the finding of the jury, there was no evidence to shew how the infection which caused the blood-poisoning was set up. He proposes to cause inquiry to be made as to the case. He has received the resolution referred to, and will give consideration to the subject to which it relates.

MR. LUPTON: Will the hon. Gentleman ascertain whether or not blood-poisoning is one of the most frequent results of vaccination?

[No Answer was returned.]

Scottish Education Grant.

SIR HENRY CRAIK (Glasgow and Aberdeen Universities): I beg to ask the Secretary for Scotland whether he can now state the arrangements which are proposed for a grant to Scotland equivalent to the additional grant which is provided for England and Wales under the Education Bill.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): The additional grant referred to by the hon. Member has not yet been given to England and Wales, and therefore the question of an equivalent for Scotland does not arise, but due representation has been made to the Treasury as to the claims and needs of Scotland.

SIR HENRY CRAIK asked what form the representation had taken, and if the right hon. Gentleman had borne in mind that the sum payable under the Education Bill might be very largely increased?

MR. SINCLAIR said the matter had not yet taken definite form either in regard to England or Wales. The hon. Member might rest assured that proper representations would be made.

LORD R. CECIL (Marylebone, E): But what will be their nature?

MR. SINCLAIR: I can give no further information at present.

MR. GULLAND (Dumfries Burghs): How can the Scottish Members make sure that Scotland will receive its proper share?

[No Answer was returned.]

MacDonnell Estate, Kilkee, County Clare.

MR. HALPIN (Clare, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the tenants on the MacDonnell estate at Kilkee, county Clare, signed purchase agreements last February; that in August they paid rent and interest at the rate of 3½ per cent. up to May 1906, and at present they have paid rent and interest from May to November at the same rate, viz., 3½ per cent., and whether, seeing that the landlord has been paid off in September, and that still the lands are not vested in the tenants, and that consequently they will have to pay 3½ per cent. instead of 3¼, he will make inquiries as to the reason the lands are not vested in the tenants.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.): The Estates Commissioners inform me that some delay in this case was unavoidably caused by the intervention of the summer vacation, but the work of vesting the holdings in the tenants is now being proceeded with as rapidly as possible.

Police Protection at Miltown Malbay.

MR. HALPIN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that M. C. Kenny, a carpenter at Quilty, Miltown Malbay, county Clare, has police accompanying him when proceeding to and from work at Spanish Point morning and evening; and whether, seeing that Kenny does not require the police to accompany him, as he can go through other parts of the country without the companionship of members of the Royal Irish Constabulary, and as West Clare is in a most peaceable state, he will have the police withdrawn from the hut at Quilty.

MR. BRYCE: I am informed by the police authorities that the fact is as stated in the first part of the Question. It is considered necessary to afford to Mr. Kenny the protection which he is receiving, and it is not the case that he does not require protection. I understand that West Clare is in a comparatively peaceable condition. The police station at Quilty is a permanent station with a police district attached to it. A hut was originally erected there because no house was available for police purposes. The station cannot, in the Inspector-General's opinion, be dispensed with.

Colonel Smyth's Gaybrook Land.

MR. GINNELL (Westmeath, N.): I beg to ask the Chief Secretary to the

Lord-Lieutenant of Ireland if he will ascertain if the Estates Commissioners have power to prevent the consolidation of grass farms in a congested neighbourhood; and, if so, will they refuse to sanction the sale to Colonel Smyth, of Gaybrook, owner of large tracts of untenanted land, of a farm on another estate of which he has bought the tenants' interest in a congested neighbourhood.

MR. BRYCE: The Estates Commissioners have no power to prevent the consolidation of grass farms. They have, however, under the Act of 1903, a discretion to refuse to sanction an advance exceeding £3,000 to any one purchaser, and this discretion they duly exercise.

Irish Land Purchase—Inquiry as to Solvency of Purchasers.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland do the inspectors on behalf of the Estates Commissioners, in the case of a direct sale, inquire into the solvency of proposed purchasers, and the cause of insolvency where found; if so, how do they treat cases in which tenants sign purchase agreements in order to avoid eviction, and evicted tenants, in order to recover a house for their families, borrow money to pay the landlord before he allows them to sign, in circumstances in which they are not free agents; seeing that landlords and tenants conceal facts of this nature, will the inspectors be instructed regarding them; and are the Commissioners aware of such cases on an estate belonging to Colonel Smyth, of Gaybrook, Westmeath, sold or in course of sale.

MR. BRYCE: The inquiries which the inspectors of the Estates Commissioners are to make are fully set out in the Instructions to Inspectors, dated 9th March, 1906 (Cd. 2881), to which I beg to refer the hon. Member. The Commissioners inform me that upon receiving their inspector's report they ask for any further information which they may consider necessary. The estate of Colonel Smyth, of Gaybrook, has not yet been inspected, and the Commissioners therefore have at present no information regarding the circumstances of that estate.

Collinstown Evicted Tenant.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will explain why, during the three years in which the Land Act of 1903 has been in operation, no provision has been made for the evicted family of the late Richard Riggs, the evicted farm on Colonel Smyth's Collinstown estate being vacant, and untenanted land being plentiful in Westmeath; is he aware of the condition of this evicted family; and can he say when the Commissioners will be able to extend to this family the benefits which Parliament intended the Act to confer upon evicted tenants.

MR. BRYCE: The Estates Commissioners inform me that they have not yet been able to inquire into the application for reinstatement of the representatives of the late Richard Riggs, and cannot say definitely when they will be able to do so. Inquiries into all applications will be made as soon as possible. The Commissioners have no information as to the present circumstances of the evicted family.

Westmeath Evicted Tenant.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state what practical steps the Estates Commissioners have taken during the last three years, with the dates of such steps, if any, for the purpose of having Edward Fagan, a Westmeath evicted tenant, reinstated or provided with a new holding; and can the Commissioners now say when Mr. Fagan may expect to benefit by the legislation of 1903.

MR. BRYCE: The Estates Commissioners inform me that they have received from Edward Fagan two applications for reinstatement, one referring to a holding on Edward Taaffe's estate, and the other to a holding on Elizabeth Carroll's estate. In the former case the Commissioners ascertained that Fagan was not evicted from the holding. He became a bankrupt, and his interest was sold by the Court of Bankruptcy, Mr. Taaffe being the purchaser. The Commissioners, therefore, decided that they could take no action in that case. The second application has not yet been inquired into, but the Commissioners will have inquiry made as soon as possible.

Irish Evictions.

Mr. DELANY (Queen's County, Ossory) : I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the last quarterly Return, under Section 7 of The Land Law (Ireland) Act, 1887, shows that 711 evictions were carried out by registered letter in Ireland during the three months ending the 30th September; can he say what proportion of those notices were served with the object of forcing tenants in arrears to agree to exorbitant terms of purchase; and whether he proposes introducing legislation to abolish this mode of procedure.

Mr. BRYCE : The fact is as stated in the first part of the Question. The Estates Commissioners tell me that they have no information which would warrant them in forming the opinion that notices under Section 7 of the Act of 1887 have been served with the object of forcing tenants to purchase at high rates. This conclusion appears to be supported by the fact that the figures for the September quarter of this year are more than 100 below the average for the corresponding quarters of the preceding five years. In reply to the concluding inquiry of the Question, I would refer to my Answer to a similar Question put by the hon. Member for North Cork, on 20th March last,† in which I dealt fully with the matter. I am advised that a repeal of the section might prove to be an injury rather than a benefit to the tenants concerned, seeing that under the section they have a right of redemption for six months.

Mr. DELANY : Is the right hon. Gentleman aware that every one of the 711 tenants who have become future tenants, lose all their rights under the Act of 1881, and does he think that is desirable ?

Mr. BRYCE : I think, on the whole, the giving of notice under this section is rather a benefit to the tenants than otherwise.

Mr. DILLON (Mayo, E.) : Does the right hon. Gentleman think that the eviction made easy clause, which the whole Liberal Party joined with us in resisting, is a benefit to the tenants ?

Mr. BRYCE : Yes, but I will give the hon. Gentleman some figures. The number of tenants and sub-tenants actually dispossessed under that section of the Act in 1905 was ninety-six and five respectively. That is to say, less than 5 per cent. of the number served with eviction made easy notices. We have to consider this matter in its relation with other kinds of proceedings, and it is in that respect I say it may be a benefit to the tenants.

Mr. DILLON : Is the right hon. Gentleman aware that 60,000 tenants in Ireland have, under this section, been deprived of all rights under all Land Acts ?

Mr. BRYCE : I am not justifying the clause, but there are other steps that could be taken, and experience has shown that the proceedings under this section are not more unfavourable to the tenants than those under other Acts.

Mr. DILLON : Is the right hon. Gentleman aware that we consider this one of the most disastrous sections that have ever been passed ?

Mr. BRYCE : I am not justifying the section. I am simply comparing its effects with the effects of proceeding in another way.

Land Sub-Commissioners at Birr.

Mr. REDDY (King's County, Birr) : I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Messrs. Tuckey and Owens, Sub-Commissioners, who are appointed to sit at Birr on the 20th instant, did, when previously settling rents in that district, take a rent-office clerk in the employment of the landlord, Colonel Williams, with them on the car when inspecting farms on the property, and declined any interview with the tenants ; can he say what reductions those Commissioners made in the rents on that occasion ; whether he is aware that the tenants have resolved not to appear before Messrs. Tuckey and Owens ; and will he see that other Commissioners are substituted.

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† See (4) *Debates*, cliv., 228, 229.

MR. BRYCE: I am informed by the Land Commission that Messrs. Tuckey and Hunt are the members of the Sub-Commission delegated to sit at Birr on the 21st instant. Their names appear in the printed list of cases for such sitting which has been in circulation for some weeks. Mr. Owen, who is a Lay Assistant Commissioner, has reported to the Land Commission that on the occasion referred to in the Question, he gave a seat on his car to the landlord's representative, who was attending the inspection on his principal's behalf for the purpose of pointing out boundaries, and who, owing to the weather, was unable to keep pace with the car on his bicycle. Mr. Owen has further reported that on a like occasion he gave seats on his car to two tenants on the same estate when he was inspecting for fair rent purposes, that the tenant or his representative was present at the inspection of each farm, and that he (Mr. Owen) inspected all improvements pointed out to him by the tenant. The Land Commission point out that the decisions of the Sub-Commission Court in the cases upon Captain William's estate have already been notified to the parties concerned, who, if they are so advised, can appeal against those decisions. The constitution of Sub-Commission Courts for particular districts is decided by the Land Commission, and I have no control in the matter.

Bankrupt Evicted Tenants.

MR. DILLON: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention or the attention of the Estates Commissioners has been drawn to the case of Doyle, a bankrupt, which has been decided in the Court of Appeal (Ireland) last week, in which a point of law of universal application to such cases has been laid down, the effect of which is that evicted tenants, who may already have been declared bankrupts, or against whom judgments or debts may exist under which they are liable to be so declared in the ordinary course, may be compelled to hand over to the assignees in bankruptcy the tenancies or public moneys given to them on grounds of state policy, which was never contemplated; and whether he will consider the advisability of introducing an amendment of the law to enable the Estates Commissioners in respect of all past transactions to come in and prevent the moneys of the estate being diverted to the assignee in bankruptcy or otherwise under such circumstances.

MR. JAMES CAMPBELL (Dublin University): Is the right hon. Gentleman aware that the tenant referred to in the Question was advanced a sum of £1,600 by the Estates Commissioners for the purpose of reinstating him in a holding in the county of Dublin, and that he also got a free grant of £250 to build a house; and that he immediately sold his interest in the new holding for £400? Can the right hon. Gentleman say what became of the free grant?

*THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool Exchange): I was not aware that the person in question had been an evicted tenant. I thought he was an ordinary purchaser. In reply to the Question on the Paper I have to say I am informed that the decision of the Court of Appeal in the case referred to was to the effect stated in the Question. I have only seen a newspaper report of the decision, but I gather from that report that the legal question involved in no way referred to evicted tenants. It merely determines that a purchase by a tenant of his holding from his landlord enures for the benefit of his creditors, where the tenant at the time of such purchase was a bankrupt. An evicted tenant who purchases a holding from the Estates Commissioners or from his former landlord is now in exactly the same position as any other tenant purchaser. His property (including his purchased holding) is available for payment of all debts legally due by him and not barred by the statute of limitations. To enable the Estates Commissioners to interfere in the manner suggested by the Question would give him a privilege as to the payment of his ordinary debts over a solvent purchaser which the Government do not consider to be just, and they are not prepared to introduce an amending Bill with that object in view.

SIR E. CARSON (Dublin University): Was not the money advanced in this case to restore an evicted tenant taken possession of by the Court of Bankruptcy?

*Mr. CHERRY: Not as far as I am aware.

Mrs. Hinds' Killeshandra Estate.

Mr. VINCENT KENNEDY (Cavan, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether agreements for sale have been filed in the estate of Mrs. Henry Hinds' lands, Deramfield, Killeshandra, county Cavan; will he state what is the present position of this sale; when were the agreements filed; is there any untenanted land on the estate; and have the Commissioners offered to purchase same, and with what result.

Mr. BRYCE: The Estates Commissioners inform me that three agreements for the purchase of holdings on the estate in question were lodged with them in September, 1904. There are 204 acres of untenanted land on the estate, which the vendor desired to sell to the Commissioners and repurchase from them. The Commissioners saw objections to this course and offered to purchase this land, but not to resell it to the vendor. The vendor refused to accept this offer, and consequently the Commissioners refused to deal with the lands as an estate, or to make the advances asked for.

Mr. VINCENT KENNEDY: Will the Government interfere to prevent this estate being permanently hung up?

Mr. BRYCE: Perhaps the parties may be induced to reconsider the position.

Arva Eviction.

Mr. WALTER LONG (Dublin, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to the recent ejectment of one Mulligan from a house in the village of Arva, county Cavan; whether a force of 150 police was sent from the depôt in Dublin for the protection of the sheriff and his officers in the execution of the decree of ejectment; whether this force was conveyed to the locality by special train, travelling at night, and arriving at Arva at daybreak; and, if so, what was the total cost to the public of the expedition, and under what circumstances was the employment of so large a force of police and their conveyance by special train at night considered necessary.

Mr. BRYCE: My attention was directed to the ejectment of Peter Mulligan at Arva, which was carried out by the sheriff on 6th September last. A force of 100, not 150, police was sent from the depot in Dublin for the protection of the sheriff and his officers. This force was conveyed by special train, but did not travel by night and arrive at daybreak; it left Dublin at daybreak, and arrived at Arva about eight o'clock in the morning. The total cost to the public in connection with the employment of the extra force amounts to about £136. The employment of the force, and their conveyance by special train, was considered necessary, because there was reason to apprehend that considerable resistance would be offered to the sheriff in the execution of his duty.

Potatoes and Motor Spirit.

Mr. FERENS (Hull, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will cause inquiry to be made by the Board of Agriculture for Ireland, whether it is possible profitably to utilise partially diseased potatoes for the manufacture of crude starch from which could be produced spirit for motor use.

Mr. BRYCE: The Department of Agriculture and Technical Instruction have made inquiries into the question of the manufacture of alcohol from potatoes for motor use, the result of which did not tend to show that it would be possible to start a profitable industry of the kind in Ireland. The Department do not anticipate that there would be an annual supply of diseased tubers sufficient to warrant the expenditure of the large amount of capital necessary for the erection and equipment of the buildings which would be required for the manufacture of alcohol from potatoes.

North Kerry Evicted Tenants.

Mr. FLAVIN (Kerry, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state if an inspector has visited North Kerry in connection with the reinstatement of evicted tenants; and, if so, with what result.

MR. BRYCE: The Estates Commissioners inform me that their records are not kept according to Parliamentary divisions; but, as regards the entire county of Kerry, 509 applications for reinstatement have been received, all of which have been referred to an inspector for inquiry and report. Up to the present twenty-six of the applicants have been reinstated by the Commissioners, and they understand that nineteen have been reinstated by landlords direct. In fifteen of the cases inquired into the applicant did not come within the scope of the Act; while in fourteen cases the Commissioners, for various reasons, refused the application. In fifty cases the former holdings are not now available; and there are still about 380 cases in which the applications have not yet been reported on, or, if reported on, have not been finally dealt with by the Commissioners.

MR. FLAVIN: Is the right hon. Gentleman aware that 2,000 acres of untenanted land have been offered to the Estates Commissioners?

MR. BRYCE: Yes, Sir; and I very much appreciate the action of the hon. Member in making the offer.

Imprisonment of Children.

MR. HUGH LAW (Donegal W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the condemnation, on page viii. of the Report of the General Prisons Board for Ireland for the year 1905–6, of the continuance by some magistrates of the practice of sending children of from nine to eleven years of age to prison, notwithstanding the provision already made by the Legislature to enable juvenile offenders to be dealt with otherwise; and whether the Government contemplate taking any action in the matter.

MR. BRYCE: My attention has been called to the remarks of the General Prisons Board for Ireland on the subject in question, and I entirely agree with the Board in their expression of regret that the practice of sending young children to gaol for minor offences stlll prevails in some cases. The hon. Member will see, however, by referring to page vii. of the Report, that such cases are comparatively few. In the year 1905 nine children under twelve years of age were committed to prison. Two of these were discharged by the magistrates themselves, and in four other cases sentence was commuted by the Lord-Lieutenant. Some years ago the Irish Government sent a circular to the magistrates in Ireland calling their attention to the provisions of the law under which juvenile offenders can be dealt with otherwise than by imprisonment; and when any case occurs in which magistrates appear to have overlooked these provisions, it is the practice of the Government to direct afresh the attention of such magistrates to those provisions.

Quarters for Prison Officials

MR. HUGH LAW: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the wives, families, and female servants of certain prison officials in Ireland are compelled, by reason of the situation of the quarters provided by the Prisons Board, to reside within the walls of the prison for male convicts at Maryborough; and whether the wives, families and female servants of corresponding officials in the English and Scottish services are required, in any cases, to reside within the walls of male convict prisons in those countries.

MR. BRYCE: The Governors of all Irish Prisons are required to reside within the precincts of the prisons, and are allowed to have their wives, families, and female servants living with them. In Maryborough Convict Prison, both the governor and the deputy-governor are provided with suitable houses within the prison walls, and no complaint has ever been received from them on the subject of their residence. I understand that in England the quarters of the prison officers are not situated within the prison walls at any of the convict prisons, but in the case of certain of the local prisons the governor's quarters are within the prison walls.

Maryborough Convict Prison.

MR. HUGH LAW: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, in view of the fact that the Maryborough Convict Prison has recently been enlarged and reconstructed at a cost of about £2,600, he will say if the Treasury refused to provide the necessary funds to enable official residences to be constructed for the families of prison officers outside the prison walls.

MR. BRYCE: The answer is in the negative. The sum of about £5,000 has, with the approval of the Treasury, recently been expended in erecting warders' cottages outside the prison walls at Maryborough. It is, however, necessary for the governor and deputy-governor to reside within the prison precincts, as I stated in reply to the previous Question. I may observe that the estimated cost of the reconstruction of Maryborough Convict Prison is about £27,000, not £2 600.

Irish Potato Crop.

MR. THOMAS O'DONNELL (Kerry, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has received reports from Cromane, Inch, and Annascaul, in Kerry, regarding the failure of the potato crop; whether he intends to take any, and, if so, what steps in the near future to give those people employment during the coming winter; whether he has received proposals for the building of a road and the extension of a pier at Cromane; and, if so, when it is proposed to proceed with those works.

MR. BRYCE: I have received reports which show that there has been a partial failure of the potato crop in the district of Cromane. Inquiries are at present being made into the circumstances of the other districts mentioned in the Question. The subject has received and will continue to receive the most careful attention of the Government, but until I have received further reports I am not in a position to say whether exceptional steps may be necessary for the relief of any distress which may arise. I have received resolutions passed at a public meeting in favour of certain works in the locality, and have referred them to the Congested Districts Board for their consideration.

MR. DILLON asked whether before the end of the session the Chief Secretary would be in a position to make any general statement as to the result of any information the Irish Government may have ascertained concerning the general failure of the potato crop throughout Ireland.

MR. BRYCE said there was no evidence of a general failure of the potato. The failure appeared to be confined to certain parts of the country, which was of itself, of course, a very deplorable thing. He did not know at what time the session would come to an end, but it would be his desire to give any information in his possession at the earliest possible moment.

MR. DILLON intimated that he would put down a Question on the subject.

Transvaal—Depreciation of Property Values.

SIR HOWARD VINCENT: I beg to ask the Prime Minister, if he is aware that there has been a loss in the market value of property in the Transvaal of upwards of £150,000,000 since the accession to office of the present Government, and that this, coupled with the uncertainty as to the future, has led to the stoppage of development work upon 24 non-producing mines and to the discharge of over 300 white workers earning £20,000 a month in wages; and if, having regard to the impossibility of obtaining other employment owing to the prevailing depression, as also to the stoppage of South African orders for machinery and other goods in Sheffield, Manchester, Birmingham, and Glasgow, he will do what he can to hasten the freedom of the Transvaal from the interference of Downing Street in the development of the natural resources, with due provision for the interests of British settlers.

MR. J. WARD (Stoke-on-Trent): Before the right hon. Gentleman answers that Question, I should like to ask him whether he is aware that the loss in the market value of securities in this country during the late Administration was over £500,000,000 and whether this depreciation of home securities has not been the direct cause of much of our unemployment at home.

SIR HOWARD VINCENT: If the right hon. Gentleman proposes to answer that Question I would ask him whether it is within his own knowledge that securities quoted on the London Stock

Exchange have fallen in a much greater ratio since his own Administration began.

The PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. Campbell-Bannerman, Stirling Burghs): I am not on the Stock Exchange, as my hon. and gallant friend appears to be.

Sir HOWARD VINCENT: No, I am not. I wish I were.

Sir H. CAMPBELL-BANNERMAN: I cannot answer a Question like that without notice in order that I may get friends better informed than myself to investigate the subject, As to the Question of the hon. Member for Stoke, I do not know that it is quite germane to this subject, although it certainly may bear on the conclusion formed from the Question as asked. I do not know whether all the figures quoted by the hon. and gallant Gentleman are correct, though I believe it to be the fact that there are now about 300 fewer white miners in non-producing mines than there were in May, 1904. I cannot profess to be impressed by his insinuations as to the cause of the depreciation, which began long before the present Government came into office, and which has become more acute since the adoption of Chinese labour. It was anticipated by hon. Gentlemen opposite, I believe, that the introduction of indentured labourers would relieve the financial situation, but it was evident that it would do nothing of the kind before the last Government quitted office, now twelve months ago. I can only hope that when responsible Government is established—and we are doing everything in our power to expedite it—and as the process of repatriation is hastened, and South Africa reverts to a more normal and healthy condition of affairs the situation will gradually become clearer.

Mr. BONAR LAW (Camberwell, Dulwich) asked whether the right hon. Gentleman was not aware that the Under-Secretary for Colonial Affairs had himself stated in the House on 22nd February that the action of the Government had had a big effect in causing a fall in the price of mines.

Mr. SEAVERNS (Lambeth, Brixton) asked whether six months before the accession of the present Government to office, and during the time when there was a plentiful supply of Chinese labour in the Transvaal, the condition of general trade in the Transvaal and in South Africa generally was absolutely deplorable and much worse than it had been at any time since.

Sir HOWARD VINCENT asked whether any date could be named when the Letters Patent would be issued.

Sir H. CAMPBELL-BANNERMAN could not name any date, but it would not be far off.

Mr. FLAVIN asked what interest the hon. Baronet had in the natural resources of the Chinese people.

The following Question was asked and answered on Thursday, November 15th:—

Royal Navy List.

Sir GILBERT PARKER (Gravesend): On behalf of the hon. Member for the Walton Division of Liverpool, I beg to ask the Secretary to the Admiralty whether he is aware that the title page of the Royal Navy List for October, 1906, claims to be supported by the Admiralty; whether he is aware that the List (pages 640 and 653) condemns the naval policy of the Government, and quotes the Prime Minister as having abandoned the two-power standard; and whether the Admiralty intend to take any action in reference to the publication.

Mr. EDMUND ROBERTSON: I have not seen the statements in the Navy List of which the hon. and learned Gentleman complains. I will look into the mattor.

BUSINESS OF THE HOUSE

Mr. A. J. BALFOUR (City of London) asked whether the right hon. Gentleman remembered having made a statement to the House on Thursday last to the effect that the Plural Voting Bill would be taken that afternoon? How did it come about that, without any statement of the alteration of the Prime Minister's plans, the Town Tenants (Ireland) Bill was down for to-day?

SIR H. CAMPBELL-BANNERMAN said the statement made concerned what then appeared to be likely. He said at the same time that the Plural Voting Bill was to be taken after the Town Tenants (Ireland) Bill. Discussion having been prolonged on that Bill, naturally the other arrangement lapsed. He was sorry if there was any misunderstanding.

MR. A. J. BALFOUR thought if the right hon. Gentleman consulted those through whom he made arrangements as to the course of business they would bear him out in his very distinct recollection that what was said was that, while the Plural Voting Bill might be taken on Monday, it would be better taken on Tuesday, because the Minister in charge would then be fully recovered. It was never suggested that the Town Tenants (Ireland) Bill was to be taken *de die in diem* until the Report stage was completed.

SIR H. CAMPBELL-BANNERMAN: That was when there was an idea that this Bill would only take one sitting; and in ordinary circumstances it would only have taken one sitting. Any announcement made several days in advance at this time of the year is necessarily subject to alteration as events occur; and, if we were to be held literally to the text of our anticipations of the probable progress of business a few days in advance, we should never be able to make any intimation of that kind at all.

MR. A. J. BALFOUR: The right hon. Gentleman is teaching us not to adhere literally to anything that is said.

SIR H. CAMPBELL-BANNERMAN: The right hon. Gentleman uses words which imply that I am in the habit of deceiving the House. I wish to know if that is what he means? That is the meaning attaching to his words, whatever meaning he attaches to them.

MR. A. J. BALFOUR: I used the words the right hon. Gentleman himself used. I do mean that on this occasion and on previous occasions the right hon. Gentleman has made statements not in accordance with—[The remainder of the phrase was lost in cries of "Shame" and "Withdraw."] He has allowed us, through carelessness of statement, to anticipate a course of business which he has not adhered to. No one has ever represented the right hon. Gentleman as himself personally capable of misleading the House, nor is any word I have said capable of being twisted into that signification, by anyone who understands the English language.

MR FLAVIN: Nobody can understand you.

MR. A. J. BALFOUR: If the right hon. Gentleman sees that there is no question of a personal attack on him, if I have been fortunate enough to satisfy him on that point, may I now ask him whether he seriously thinks that it would be either proper or possible to attempt to finish the Bill which is the subject of discussion in the course of a single remaining sitting—a Bill turning on enormous principles, never before the House until yesterday?

SIR H. CAMPBELL-BANNERMAN: I understand that there is a willingness on the part of the right hon. Gentleman and his friends, if another day is given besides to-day for discussion of this Bill at this stage, to allow us to finish the stage at eleven o'clock to-morrow night, without the necessity of removing the Eleven o'clock limit to-night. If that is so, I would raise no objection.

MR. JOHN REDMOND (Waterford) said the suggestion made really emanated from himself, and an intimation was conveyed to him that the right hon. Gentleman and his friends agreed to the suggestion. With a large experience of long night sittings he had never known one entirely satisfactory to one side or the other. Without saying anything as to the character of the opposition to the Town Tenants Bill, it was apparent that strong feeling had been excited in reference to some of its provisions, and it was not possible to prevent the expression of that feeling. If the Government could see their way to agree to the suggestion, and the Opposition would also agree, he thought it would be for the benefit of the House generally if it were adopted.

SIR H. CAMPBELL-BANNERMAN said he believed the idea came to him through the Whips.

MR. A. J. BALFOUR: Without discussing the patent rights attaching to it, I think the suggestion might with advantage be adopted. But I do think, seeing that the House has not had an opportunity of considering the Bill in Committee, that three days are inadequate. Holding this view strongly, I think, accepting it as a compromise, it will not be inexpedient to adopt the suggestion thrown out.

SIR H. CAMPBELL-BANNERMAN: Then the usual course will be followed, but to-morrow, for convenience, the formal suspension of the Eleven o'clock Rule will be moved.

MR. J. WARD asked when the next stage of the Workmen's Compensation Bill would be taken.

SIR H. CAMPBELL-BANNERMAN: I would gladly give some forcast, but I have been frightened out of my wits this afternoon by the recent assertion as to "misleading the House." Under the circumstances I think I had better refrain from making the statement desired.

MERCHANT SHIPPING ACTS AMENDMENT (No. 2) BILL.

As amended, on consideration, to be printed. [Bill 354.]

NEW BILL.

SUPPLY OF ELECTRICITY BILL.

"To amend the Acts relating to Electric Lighting," presented by Mr. Kearley; supported by Mr. Lloyd-George; to be read a second time upon Monday next, and to be printed. [Bill 355.]

TOWN TENANTS (IRELAND) BILL.

As amended (by the Standing Committee) further considered.

MR. CARLILE (Hertfordshire, St. Albans) moved to leave out from Clause 1 the words, "or his predecessors in title," and to insert the words, "or in which he has, with the assent of the landlord, acquired the interest." The hon. Member pointed out that there was no time limit mentioned in the Bill with respect to improvements alleged to have been made in the past. Alleged improvements might have been made a hundred years ago, and the difficulty of obtaining anything like reliable evidence as to the nature of such improvements made it highly desirable that the existing tenant should not have the power to revive such alleged improvements and make a claim for them. By the alteration proposed in his Amendment he hoped that difficulty might be overcome. Where such claims were made, there would be overwhelming difficulties in the matter of reliable evidence. The original owner of the property had perhaps long since died, and the original tenant would probably have also passed away years ago. Then, again, in a vast number of cases, it would be necessary to protect the poor against those who were poorer than themselves. Many of the owners of property who would be affected by the Bill were, as a matter of fact, poorer than their tenants; therefore it was only just and right that it should be made impossible for a tenant to revive ancient alleged improvements in which he had taken no part, but for which he was allowed to claim under the provisions of a most improper and unsuitable measure.

Amendment proposed—

"In page 1, line 10, to leave out the words 'or his predecessors in title' and insert the words 'or in which he has with the assent of the landlord acquired the interest.'"—(*Mr. Carlile.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange) said the words in the Bill were taken from the Land Act of 1870, and had a definite meaning in the Irish Courts founded on a long series of judicial decisions.

MR. CARLILE: And what is the meaning?

MR. CHERRY said it would take him a very long time to go into the answer to that question. The effect of adopting the Amemdment would be that where a man made an improvement and died in the following year, leaving the tenancy to his son, that son would have no claim to be compensated for the improvement made by his "predecessor in title" within the meaning of the Act of 1870. The question of a time-limit would arise upon later Amendments.

SIR FREDERICK BANBURY (City of London) said the learned Attorney-General for Ireland had contended that the Irish Land Act of 1870, and the Acts of 1880 and 1887 had worked well. They on the Opposition side of the House did not consider that those Acts had worked well. They had led up to an expenditure of £120,000,000 of the British taxpayers' money, and perhaps this Bill would lead up to the expenditure of another £120,000,000. The words in the clause were susceptible of two meanings, and he maintained that they were not necessary, and ought to be omitted. What might happen in the event of the words "predecessors in title" being retained?" He himself held a house, the lease of which had forty-five years to run, and which he bought from the executors of the previous lessee. After making due calculation as to what the result would be after buying the lease, he spent £800 on improvements; and if these words were left in the Bill he might make a claim on the ground landlord for £800 at the end of his tenancy—so being paid twice over. He did not consider that that was just. Supposing he had made the improvement with the object of reselling the house, and had sold it at a profit, the purchaser, if these words were left in, would be entitled to go to the unfortunate landlord and say, "My predecessor in title spent £800 on improvements, and therefore I demand that sum from you." Then, a surveyor would have to be employed to assess what the probable cost of the improvement was. He himself was fortunate enough to make his improvement very cheaply. One estimate was £1,500, while it only cost £800. The right hon. Gentleman would see that his remarks were apposite, and illustrated a state of things which he could hardly believe any right-minded man could desire to see perpetuated. The case showed what result might follow from the haphazard legislation of the Government. To take another case, the house next to his belonged to a lady who spent money in improving it. She died, and her executors sold the lease at 190 years purchase. What that 190 years purchase would develop into if this Bill passed before the landlord got possession of his property he did not know. The Bill as it stood opened a long vista of lawsuits. Any number of skilled witnesses would have to be called in to say what the cost of the improvements had been, when the improvements were made, and under what circumstances, and the result would be that the person who had invested his money on the faith of what was ordinary right and fair dealing, would find that the bulk of the money he received for the house had gone in law expenses. In a commercial country like this the result of passing such a Bill would be confusion; rents would rise; and capital would be driven out of the country. [An Hon. Member on the MINISTERIAL Benches: No.] Was the hon. Gentleman prepared to let his property and at the end of a certain number of years pay compensation for all alleged improvements made on it? His experience of the House, which was that of some years, was that hon. Gentlemen opposite were only anxious for this kind of legislation when they were quite certain that it would not affect themselves. He did not think that the words proposed to be inserted were very good words, because they would probably lead to litigation. A landlord might have given his consent years ago to the making of improvements, but that would be done in the ordinary way, and on the understanding that at the end of the tenancy the intention of both parties to the contract would have to be carried out. In the Grand Committee on 18th July last the right hon. and learned Gentleman moved an Amendment to limit the compensation for improvements made by tenants to the previous ten years. That Amendment was negatived, he believed without a division; and if the right hon. and learned Gentleman wished to be consistent he would vote for this Amendment now before the House.

LORD R. CECIL (Marylebone, E.) said that his objection to the clause was that the Government insisted on making it retrospective. He would illustrate the point from his own personal experience. He took a house from a gentleman who was the executor of a previous tenant who had spent a very large sum in improvements. He had given a certain sum of money for the lease of the house, and he did not imagine that he should receive from the landlord at the end of his lease a large sum of money for improvements upon which he had not spent any money, but upon which his predecessor had spent a large sum of money. The actual tenant who would receive the benefit would not in many cases have carried out the improvements; they would have been carried out by a previous tenant, and it would be impossible for the landlord to check any claim made upon him. The difficulty arose from the determination of the Government to make the Bill retrospective. They had not, however, advanced one single argument in favour of doing so. What they had done was to refer to the land legislation of 1870 and following years. That argument appeared to him to be irrelevant. He thought it was one of the rhetorical tricks of the orator who, having no good argument, relied upon one that sounded plausible. As, however, the right hon. Gentleman the Attorney-General for Ireland had repeated the argument, it appeared that he thought that this Bill was justified by the Act of 1870. The right hon. Gentleman was bound to support his proposal upon two grounds, first, that town property was similar to agricultural land, and, secondly, that the legislation of 1870 was a success. As to the first proposition it seemed to him that the argument of the right hon. and learned Gentleman broke down hopelessly, as town property did not seem to have any similarity to agricultural property. As to the second, the right hon. and learned Gentleman was on weaker ground still. He had the audacity to get up on the Treasury Bench and tell them that the Irish land legislation had been a success. [NATIONALIST MEMBERS: Very successful for the landlords.] If hon. Gentlemen said that they meant, in other words, that it was a failure. He gathered from the Members for Ulster that they also did not approve of it, and as a humble inhabitant of the sister island he had always regarded the land legislation of Ireland as a triumph of mismanaged legislation. The Act of 1870 had led to dual ownership, with the ultimate result that Parliament had been forced to pass a measure, not because they thought they were right but because the land law had got into such a mess that something had to be done. That was the Act of 1887, which pledged the credit of this country to an enormous amount to buy out the landlord and put the land in a single hand. In face of overwhelming arguments against this clause he would ask the House to reject it unless some better argument than that of the Act of 1870 could be brought forward.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.) said the noble Lord who had just spoken was very indignant with his right hon. friend the Attorney-General for having referred to the Land Acts of 1870 and 1881 as being precedents for the proposals contained in this Bill. The noble Lord forgot that those Acts were the law in Ireland. Then the noble Lord said that the Acts had not succeeded, but he would ask anyone who knew Ireland before 1870 and 1881 to go through the country now and tell them his experiences. Such a visitor would be struck by the enormous benefit which those Acts had conferred upon the country. They had wrought an entire transformation in the condition of the tenantry, and this must be admitted by anyone who knew their condition before the legislation was passed. Anybody who contrasted the conditions then and now would feel an endless debt of gratitude to the statesman who passed those Acts. Thirty-six years had passed since the Act of 1870 became law, but it had not become a precedent for English legislation, although these Acts might become precedents in regard to England, if it turned out that the circumstances were such as required such a course.

LORD R. CECIL inquired if the right hon. Gentleman suggested that there was anything special about town tenants in Ireland which was not common to England?

MR. BRYCE replied in the affirmative, and said he had already explained it. The House would, however, pardon him if he did not in every speech repeat what he had said in his previous utterances.

The arguments which they were now listening to were advanced over and over again in 1870, in 1881, in 1887, and in 1891 when the land question was under consideration. It was said then, as it was said now, "If you pass this for Ireland, later on you will have to pass it for England." That argument, seemed to appeal especially to the noble Lord, and nowhere was felt more strongly than in the mind of the hon. Baronet the Member for the City of London, who apparently did not desire to see any state of society or any other relation existing between people than those with which he was familiar in the City. But Ireland was not London, and they were now legislating for Ireland and trying to meet the cases which it was necessary to deal with in that country. They were not going to be deterred from doing so because some hon. Gentleman got up and said, "If you apply this to Ireland it must in the end be extended to England."

SIR FREDERICK BANBURY said he was sorry to interrupt the right hon. Gentleman but he only wanted to quote one passage from his speech on the Second Reading of the Bill.

MR. BRYCE said he was willing to give way to the hon. Baronet for the purpose of enabling him to make any explanation, but he could not do so in order to enable the hon. Baronet to inaugurate a new debate.

SIR FREDERICK BANBURY said all he wished to say was that in that speech the right hon. Gentleman stated that he wished to see this legislation extended to England.

MR. BRYCE said he had stated so in regard to one particular provision, but the point which the hon. Baronet had taken was quite irrelevant to the argument they were now conducting. He thought there were some very excellent provisions in the Bill which might be extended to England, but he should not support them merely because they were applied to Ireland, and he should only do so in case he thought there was good reason for applying them to England. The noble Lord the Member for Marylebone seemed to think that the compensation to be awarded would be given in regard to improvements made by the predecessor in title of the tenants, but that was not the plan of the Bill, because nothing was to be given as compensation for improvements except such improvements as added to the letting value of the holding. That was the basis on which the compensation would be fixed, and when the noble Lord suggested a case in which he would obtain compensation without having spent any money he must point out to him that in order to obtain possession of a house he must have paid an increased sum because of the increased value which the improvement gave to the house.

LORD R. CECIL said he expressly stated that he did not pay an increased sum of money; that was the whole point of his argument.

MR. BRYCE replied that it stood to common sense that if one was buying a house, and the improvements had made it more valuable, one would pay more in consequence of those improvements. If more was paid for the house it was only fair that compensation should be paid, it being always understood that the landlord did not pay for anything which did not increase the letting value of the house. That was a very solid reason for resisting an Amendment which would lead to gross injustice.

MR. A. J. BALFOUR (City of London) said the right hon. Gentleman began his speech with a very eloquent tribute to the virtues of the Irish Land legislation of 1870 and 1881. In doing so the right hon. Gentleman opened a wide field of controversy—wider than he would like if it were discussed at length, having regard to the arrangement arrived at at Question time. He was not going to discuss the question whether the land legislation of 1870 or 1881 was or was not good for the Irish people, nor was he going to expose the patent fallacy that because the Irish tenantry were better off now than they were thirty years ago that could be regarded as an ample justification of the Acts of 1870 and 1881, which had had to be supplemented by the Land Purchase Acts. When the right hon.

Gentleman paid an eloquent tribute to the authors of the Act of 1870 he wondered if he reflected upon the horror which would have been in Mr. Gladstone's mind if he could have foreseen that the legislation which he regarded as special legislation for Irish agricultural land was going to be extended to Irish urban property. Mr. Gladstone would have been the first to say that there was no fundamental difference between Irish and British town tenants. If the Chief Secretary would refresh his mind by referring to the speeches of Mr. Gladstone on the Irish land question he would see that Mr. Gladstone explicitly stated that the legislation he was passing for Ireland was utterly unsuited for English or Scottish holdings, and he denounced it in principle though he excused it in the particular state of things which he found in Ireland. If Mr. Gladstone were here now he would be filled with horror at taking the precedent of his Act of 1870 and applying it to town tenants. Mr. Gladstone would say that the first duty of a Government bringing in this Bill was to show that the condition of the urban tenants was analogous to the conditions of the agricultural tenants and to the fundamental condition of the urban tenants in England and Scotland. That had not been done. The right hon. Gentleman had now referred them to some speech which he said he made yesterday. The right hon. Gentleman might have intended to make such a speech yesterday, but he never did make it. If he would refer to *Hansard* or if he would send for a copy of *The Times* now he would agree that that speech was never made. The right hon. Gentleman had never attempted to grapple with the main principle. He had never attempted to show any fundamental difference between a tenant in Merrion-square and a tenant in Grosvenor-square or a shopkeeper in Belfast and a shopkeeper in Bond street. Had the right hon. Gentleman sent for a copy of *The Times?*

MR. BRYCE: No; I have not.

MR. A. J. BALFOUR: The right hon. is well advised.

MR. BRYCE: The right hon. Gentleman refers me to *The Times.* But I distinctly remember referring to the fact that there were habits of usage with regard to houses in Ireland which were not analogous to England.

MR. A. J. BALFOUR said he did not deny the right hon. Gentleman might have let fall a phrase of that kind, but did he give a catalogue of the habits of usage in Ireland? If the right hon. Gentleman was asked the essential distinctions between agricultural holdings in Ireland and in England he would have no hesitation in making a catalogue. The agricultural tenant in Ireland made all the improvements, he fenced the land, he drained it, he built the walls, and, in fact, did the whole thing. In England and Scotland all these conditions were different, and therefore different land legislation was required in Ireland. But could the right hon. Gentleman say in what way the system of the urban holdings in Ireland differed from that of England. As regarded town tenants, not one single peculiarity had been pointed out to differentiate the case of an inhabitant of London from an inhabitant of Dublin, a resident in Belfast from a resident in Manchester. Was it not folly, then, for him to claim that yesterday he made a speech explaining why this Bill was appropriate to Ireland, and that there was good ground for saying it would not be extended to England?

MR. BRYCE: I have never said anything about its being extended to England except what I said just now.

MR. A. J. BALFOUR said that was just what he was commenting upon. The right hon. Gentleman had just said he had given the House reasons why this legislation was justified in the case of Irish tenants, and therefore there was no occasion for anticipating that it would be extended to England.

MR. BRYCE: I never said that.

MR. A. J. BALFOUR pointed out that the House was asked to legislate now for Ireland, and it was said there was some explicit difference between Irish town tenants and English town tenants. When asked to name one single point of difference the right hon. Gentleman could not do so. The vice of this first clause was that it dealt with the past and the future in the same words. It dealt with the tenants who had been going on for many years and the tenants who would begin after this law came into force. Under this clause how were they to discover what improvements were done some eighty years ago? There was no record kept of the state of a house eighty years ago, and a landlord, although he knew a wrong claim was being made, would have no information to controvert it. In going back to a shadowy and indefinite past, with regard to which no authentic information could be forthcoming, the Government were certain of causing many injustices and much unnecessary litigation by their somewhat reckless method of legislation.

*MR. MOONEY (Newry) said the right hon. Gentleman would not have troubled the House with the speech to which they had just listened if he had consulted the right hon. Member for South Dublin. He knew that the Member for South Dublin was not in the habit of consulting the right hon. Gentleman the Member for the City before he made speeches, especially speeches on Irish affairs. But still the right hon. Gentleman would have had the benefit of the advice of his late colleague, and he would not have stated that he looked with horror upon this Bill not because it was wrong, but because it contained the germ of something that might hereafter be extended to England. Had the right hon. Gentleman consulted the right hon. Member for South Dublin he might have been referred to a speech made in January last in Dublin where this was a burning question. The right hon. Member for South Dublin on that occasion took up a very different attitude from that which he had now adopted. He was then defending his action in not voting for a similar Bill last year, and he defended himself by suggesting that the Bill was brought in so late in the session that he could not see his way to ask the Government to star it. But the right hon. Gentleman went further, and said—

> "We want this in England quite as much as you want it in Ireland. The case is just as strong in England as in Ireland;

and he went on to say—

> "I have got a house which I hold from a great landlord and I have spent money on the house and I should like to get compensation, therefore the whole of my spirit is in favour of the Bill."

The right hon. Gentleman went even further and said he did not vote for the Bill last year because it did not extend to England.

MR. WALTER LONG said that upon the occasion in question he was referring to the action he had taken in this House when Chief Secretary for Ireland. He was practically quoting the speech he made when Chief Secretary, and he was pointing out the reason for the action he took.

*MR. MOONEY said the only difference between this Bill and that which the right hon. Gentleman was referring to was that compensation for disturbance was not in this Bill.

MR. WALTER LONG said all he was complaining of was the statement that the language he used was different from that which he had used in this House. The language was the same.

*MR. MOONEY contended that the language was completely different. The right hon. Gentleman said he objected to compensation for disturbance. That question was not now before the House. The question now before the House was compensation for improvements and the retrospective action of the Bill. How was it possible for the right hon. Gentleman to say that the language he had used in his speech at Kingstown, and that which he had used in this House were the same? Here he had attacked the compensation clause, and more especially the retrospective portion of it. In Kingstown he gave as his reason for voting against the Bill, the lateness of the session, and the impossibility of getting the Government to star the measure. He was then clearly in favour of retrospection, or else what did he mean by saying—

> "I have spent money on that house and I should like to get this compensation, and therefore the whole of my spirit is in favour of the principle of the Bill."

To make sure that his attitude on the matter was perfectly plain the right hon. Gentleman made a long speech in which he said that it was a session when it was absolutely impossible that the Bill could pass into law unless it had the support of the Government, and if he had given his approval as a member of the Government to the Second Reading it would not only have involved his approval of its general principle but, as a matter of general procedure, that he should have done his best to get it starred by the Government; he knew that was impossible because it was too late in the session. The only reason that the right hon. Gentleman held out to his constituents in Dublin was that it was too late in the session for the Government to make a Government Bill of the very measure which the right hon. Gentleman and the Leader of the Opposition were now opposing in such an obstructionist manner.

MR. A. J. BALFOUR asked whether the hon. Gentleman was in order.

*MR. SPEAKER thought discussion had got rather far from the subject, and he trusted the hon. Gentleman would now approach the Amendment.

*MR. MOONEY said of course he bowed to the ruling of the Chair, but if he had seemed to be irrelevant, it was only because he had been led to follow the arguments of the right hon. Gentleman, and it seemed to him a most illogical proceeding that they should have one Member on the Front Bench supporting this Bill and approving of its principles when it was not before the House and opposing it when it came before the House, and another saying that he and his Party looked upon the Bill with horror.

MR. RAWLINSON (Cambridge University) said the right hon. Gentleman had appeared to misunderstand the point taken up by his hon. friend the Member for Marylebone. He would give a concrete case to show the unfairness of this clause. Assuming a person bought a house in London with a ninety-nine years lease, of which only seven years remained to run, this Bill would force the landlord at the end of those seven years to pay to the tenant the whole value of any improvements which added to the letting value of the premises. That proposition merely required to be stated to show there was a gross omission in the section. It was sought to put off the argument by saying that it did not apply to Ireland. Labour Members, however, met this much more straightly yesterday and said boldly that this was a precedent which should be made to apply to England as well as to Ireland. The Chief Secretary tried to get out of that, and the Attorney-General for Ireland had declared that there was a great difference between English tenancies and Irish tenancies, because in Ireland people very frequently built houses on the land which they leased. But practically the whole of the houses in the West End of London were built upon those terms.

MR. CHERRY: What I said on the Second Reading was that in Ireland the houses were frequently built by persons who had only a tenancy from year to year.

MR. RAWLINSON said the whole wrong and injustice of this clause was the introduction of its retrospective provision. On the Second Reading of the Bill no one on the Opposition side had any idea that the Government were going to support retrospective legislation in respect of compensation for tenants' improvements. If they were to have retrospection, however, it ought to be limited to the tenant out of whose pocket the improvements had come.

*MR. JAMES CAMPBELL (Dublin University) suggested that the Amendment should be withdrawn, and a division taken upon the Amendment standing in his name, which raised the entire question.

Amendment negatived.

*MR. JAMES CAMPBELL moved an Amendment to confine the operation of the clause to improvements made "subsequent to the date of the passing of this Act." He said the Amendment raised in a concise and acute form the question they had been discussing for some time, and in a more advantageous way than the Amendment just disposed of, because if his Amendment were carried it would get rid of all the difficulties that were sought to be removed by the previous Amendment. The Bill as it stood was retrospective in two ways;

it applied to existing contracts, and also to improvements under those contracts made before the date of the passing of the Act. The House had come to a conclusion upon the question of existing contracts, but there was involved in the second question dealt with by his Amendment a principle which was just as important, and that was whether they were going to the extreme length of extending the application of the Bill to improvements made under existing contracts prior to the date of the passing of the Act. He should like to hear some defence of that principle, because it was *prima facie* unjust, and required to be defended. The promoters of this Bill had in the clearest way shown in subsequent sections that they themselves felt the unfairness and injustice of it, because they had made elaborate arrangements in regard to future improvements which compelled the tenant to serve notice on his landlord of his intention to make such improvements. Therefore the landlord would get full notice when any improvement was to be made which might ultimately saddle him with the liability to pay money. The Bill also provided means by which the landlord could protect himself, and enabled him to say to the tenant, "That improvement is not a suitable one, it will damage my property, and so I object to it." Under those circumstances if a tenant persisted in making improvements, the landlord could bring him before the Court and have the matter settled. Upon what principle were they going to apply this Bill to improvements made many years ago when the landlord had no protection? There was protection in regard to future improvements, under which the landlord could say to his tenant, "I will carry out this improvement myself on my own lines, and in a way which is convenient and consistent with the rest of my property" He had no such right in regard to improvements made before the passing of this Act, and he got no notice of improvements which had been made up to the present. On what principle of fair play, therefore, could anyone defend the retrospective application of the Bill to improvements made prior to the date of the Act? He was not now attacking the application of the Bill to existing contracts, but he wanted to know upon what principle of fair play they proposed to go one step further and apply the Act retrospectively to past improvements made under such contracts of tenancy, and made with the full knowledge on both sides of the existing state of the law? The tenant knew that he could only look to the duration of his lease to get compensation for his outlay, and therefore the landlord took no step to prevent his tenant making the outlay, because he knew he was protected under his lease. Why, under those circumstances, should the landlord be deprived of that protection by retrospective legislation.? Why was the House to be asked to extend this unjust principle to such a case? If this Bill was to apply to improvements made prior to the date of the passing of the Act there was no limit to it, and a man might claim for an improvement made 100 years ago. In that case what position would the successor in title of the landlord be in? A house built 100 years ago might have been put up by a tenant with money provided by his landlord under some bargain by which the tenant got a valuable consideration for it. The rights of the parties were then regulated by a different law, and why in the name of fair play and common justice was that position to be altered now to the detriment of one party and to the benefit of the other? He was in favour of the principle of compensation to the tenant for improvements, and, speaking generally, he believed that Irish Unionist members were practically unanimous that as regarded future improvements a tenant on quitting his holding should get compensation in so far as they had increased the letting value of the holding. That was a just principle, but it did not justify them in extending the same principle to improvements made under a totally different state of the law. He appealed to the Attorney-General to consider this matter. They had already settled the question of the retrospective application of the Bill to existing contracts of tenancy. That, to some extent, was unjust, but it was not so grossly unjust as the present proposal. If the right hon. Gentleman could not accept this Amendment, at any rate he should give them some reason consistent with common sense and the elementary principles of honesty and fair play between man and man for applying the principle to contracts made between A and B, when the state of the law was that B knew he had no right to be paid for improvements and A knew he was under no liability to pay for them. That was a cardinal point in this Bill. Those matters did not affect the principle of the Bill so far as the compensation for improvements were concerned. That principle they were in favour of when applied fairly, but they were not in favour of utilising that principle for confiscating another man's property and handing it over to the person who made the expenditure knowing what the law was, and that the improvements he made would revert to his landlord. He strongly appealed to the Government to reconsider this matter. He did not believe that if a proposal was made that English town tenants should be paid for past improvements at the expense of their landlord that hon. Members opposite would be prepared to support it. If they would not support such a principle for this country, upon what ground of fair play could they apply it to Ireland? With regard to the analogy of the Land Acts of 1870 and 1881, the people dealt with under those Acts were the small farmers of Ireland, many of whom had not the advantage of education, but had many disadvantages which placed them in an unfair position in competition with their landlords. This Bill embraced the professional men, such as barristers, solicitors, doctors, bankers, wealthy merchants, and traders, and all these people included would be able to get, at the expense of their landlords, payment for improvements made prior to the date of the passing of the Act. He would like to know why such a privilege was to be conferred on those tenants at the expense of their landlords? This portion of the measure was not germane to the Bill or vital to its principle. If they overloaded the Bill with this retrospective application, they would brand it with a dishonest principle on the face of it, and make it a measure which directly confiscated another man's property and transferred it to a third party who had no right to it. Nobody in Ireland had asked for the retrospective application of the Bill.

MR. FLAVIN (Kerry, N.): Some of the Trinity College tenants want it.

*MR. JAMES CAMPBELL said that many Irish tenants wanted protection for improvements made in their holdings, but he had never known any representative class in Ireland who demanded that the Bill should be retrospective. [NATIONALIST cries of "Oh, oh."] Such a demand might exist, but he was not aware of it. He knew that if a man by an Act of Parliament could get hold of another man's property, and have it transferred to him, he would acquiesce in the situation, but to say that there had been any demand in Ireland for legislation which would have a retrospective effect and transfer to tenants the money which they had expended upon improvements in the past was a slander upon his countrymen. As to the remarks of the hon. Member for Newry, his right hon. friend beside him had never said out of this House anything he was not prepared to repeat in the House itself. But that was a mere personal issue, and he passed from it. If he could not reach the conscience of his right hon. friend opposite, he appealed to the sound sense and good heart of English Members to take the trouble to read the clause. If they had done him the favour of listening to the point he was making, and if they were satisfied he was right that the effect of the Bill in its present shape would be to apply not merely to future contracts, but to all improvements made under existing contracts, no matter how many years ago, he believed their sense of fair play and of what was just would induce them to support the Amendment.

Amendment proposed to the Bill—

"In page 1, line 10, after the word 'title' to insert the words 'subsequent to the date of the passing of this Act.'"—(*Mr. James Campbell.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. CHERRY said Members on the Ministerial side of the House were very much pleased to hear the right hon. Gentleman say that he was in favour of the principle of compensation for improvements both for agricultural and non-agricultural tenants. Nobody who listened to him in the debates yesterday and again to-day would have supposed that he was in favour of any such principle. If his memory served him right, the Leader of the Opposition, speaking yesterday on the Motion for the adjournment of the consideration of the Bill, used the words "highway robbery" not only in regard to the proposal to make this clause retrospective, but to the Bill generally.

*Mr. JAMES CAMPBELL: The right hon. Gentleman was referring to the retrospective clause and the proposal to give compensation for disturbance.

*Mr. CHERRY said the right hon. Gentleman had spoken of false pretences. It was in the recollection of the House what took place on the Second Reading when the retrospective clause was in the Bill as at present. Speaking for the Government he distinctly stated that they were in favour of the whole clause as to compensation for improvements.

Mr. RAWLINSON: A distinct question was asked of the Government, after the Second Reading in the debate on whether the Bill should be referred to the Standing Committee on Law or to the Standing Committee on Trade. The question was whether the Government were in favour of the retrospective action of the clause. The question was not answered, and finally the Speaker ruled that the question could not be pressed, and that it could be discussed in Committee.

*Mr. CHERRY said he was speaking of what took place on the Second Reading. The Chief Secretary, who followed him, adopted everything he said. After all that, the right hon. Gentleman the Member for the County of Dublin, who was in his place and heard the whole discussion, and saw the Bill with the retrospective clause in it, did not vote against the Bill. The right hon. Gentleman was apparently rather in favour of this highway robbery, If there were any highway robbery it was the act of the landlord who took the improvements made by the tenant and gave nothing for them. In some cases in Ireland at the present moment good landlords would consider that unjust, but there were other landlords who took advantage of the law and got possession of the buildings the tenants had put up, though in doing so they were doing morally a very wrong thing, and he hoped that when the Bill passed that would be an illegal act. He could state many reasons in favour of this clause.

*Mr. JAMES CAMPBELL: I ask the right hon. Gentleman to give one good reason.

*Mr. CHERRY said the Land Act of 1870 was retrospective. It applied to improvements made before the Act was passed. The House had determined this matter thirty-six years ago in legislation on the subject of compensation for improvements. That legislation was applied to England by the Agricultural Holdings Act of 1883. That Act also was retrospective. Could anyone suggest any difference between town tenants and country tenants? In nine cases out of ten where compensation for improvements was claimed and awarded in Ireland under the Act of 1870 the claim was in respect of buildings, and generally for dwelling houses. What was the difference between a building on an agricultural holding and one on a non-agricultural holding? There was no reason why a man who improved an agricultural holding should be compensated, and one who improved a town holding should not. There was no difference in principle that he could ascertain. He could not see why in regard to compensation for improvements there should be any difference between a building put up on a farm and a building put up in a town or on the roadside. His right hon. friend had said that the Acts of 1880 and 1887 only affected small tenants.

*Mr. JAMES CAMPBELL: I said that the bulk of the persons affected were small farmers.

Mr. CHERRY said the bulk of the people who would be affected by this Bill were small householders. The question was, "Whose money has been spent?"

If the tenants' money had been spent it was just and reasonable that the landlord should pay for what he had done. The right hon. Gentleman said that the landlord should not be expected to pay for an old improvement. If an old improvement had deteriorated in value the landlord would only be asked to pay the diminished value, and if the improvement had lost all its value the landlord would not be expected to pay anything. The landlord would only be asked to pay the value at the time he got possession. The Government wished to keep the Bill within the limits of justice and fair play. They attempted no highway robbery. On the contrary, they wanted to prevent highway robbery, and they believed that if the Bill passed they would be able to prevent highway robbery with respect to past and future improvements.

*MR. JAMES CAMPBELL said the right hon. Gentleman had not given one good reason for the clause.

CAPTAIN CRAIG (Down, E.) thought all who had heard the speech of the right hon. Gentleman would have been struck by the way in which he used the word "holding." They were all at one with the right hon. Gentleman with regard to the spirit of the clause where it referred to the future. He did not think the right hon. Gentleman had so far made a very good defence of the retrospective part of the clause. It seemed to him that the clause contained two distinct issues, and the right hon. Gentleman had treated them together, under what he called a "holding." On that point they required some elucidation from the right hon. and learned Gentleman the Attorney-General for Ireland. He understood that the object of this Bill, in the first instance, was to apply it more to the villages and small towns of Ireland than to large centres of population like Dublin and Belfast. But in approaching the argument of the right hon. and learned Gentleman they were faced constantly with the fact that in the small towns and villages the shops and houses were owned by the same man who owned the land round about. They on the Opposition side of the House were united in the idea that where, in a small town or village or at a cross-road, a landlord let a small piece of ground to a tenant who built a shop upon it and improved the ground out of all recognition, the tenant at the end of his tenancy should receive just compensation for his improvements. But it was a different thing to make the clause retrospective when they came to deal with large centres of population like Dublin and Belfast. There they were face to face with different conditions, different tenures, and different principles. In these large cities there were a very large number of streets in which the ground and the houses were let and sublet; and he believed that as a rule, ladies chiefly invested their money in those houses. If this clause were made retrospective it would bear very hardly upon them. How could such ladies who had been deriving an income of £40 or £50 from such houses, pay compensation amounting to £150 or £250 for improvements which they never expected or desired should be made? He was quite sure that nobody in Ireland wished that this clause should be made retrospective unless they thought that they could make something out of it. This was more or less a lawyer's Bill; but mere laymen, who took a real interest in the welfare of the country and wanted to see fairplay all round, were particularly desirous that the clause should not be made retrospective.

*MR. T. HART-DAVIES (Hackney, N.) said that he called this Bill a remedial measure. It was intended to remedy what was recognised as an unjust state of things in Ireland at the present moment. It was said that landlords and tenants were grown men, understanding what their rights and duties were; but his contention was that they were not on terms of equality and never had been. There never could be terms of equality between the man who held the monopoly of the land and the man who wanted to make use of it; and so the landlord had always been able to put what conditions he liked on the tenant. [OPPOSITION cries of "Nonsense."] He did not think that that argument was nonsense. The monopolists' position was this: that, under the present state of things, at the end of a tenancy the tenant was obliged to hand over to the landlord all the improvements that he had made on his holding without compensation. That, in his opinion, was unjust, and this remedial Act was intended to give the tenant compensation for the additional value he had given to the landlord's property. He confessed that he would like to see the provisions of this Bill extended to England. He held that if it was unjust not to give compensation for improvements in the future, it was equally unjust that it should not apply to improvements made in the past.

MR. WYNDHAM (Dover) said that the hon. Gentleman who had just spoken had given reasons for this legislation which the Government had hitherto withheld. The hon. Gentleman had said that its retrospective character was justified because landlords and tenants, although grown men, could not enter into contracts on equal terms. But the tendency of all such *ex post facto* legislation would be to increase the inability of grown-up men to enter into contracts as grown men should. Even if every word which the hon. Member had said were true, he could not accept the view that if tenants were incapable of making bargains with their landlords it was necessary to have this *ex post facto* legislation. It might, of course, be said that the people of this country were so little able to take care of themselves and so little possessed of manly worth that the State should take care that they did not make contracts to their own detriment. He did not say that that would be a good law, but, at all events, it would be advocated upon an intelligible basis, which this Bill was not. This measure would involve an immense change, and it was one which could only be brought forward in the Legislature of the country. Such legislation was prohibited under the constitution of every country which enjoyed a rigid constitution. It was part of the irony of fate that the measure was associated with the name of the Chief Secretary, because it was the right hon. Gentleman's fate to have written a monumental work called *The American Commonwealth.* In that book the right hon. Gentleman explained that it was laid down by the American constitution that no state should pass any *ex post facto* law, or any law impairing the validity of contracts, and that provision the right hon. Gentleman said was so salutary that the American people had not seen any reason to change their minds upon the point. They believed, the right hon. Gentleman further said, that the constitution of their country did something not only to obtain justice between man and man, but to secure the manhood of the nation. He thought the Chief Secretary for Ireland was also of the same opinion when he wrote that book. It was true that the right hon. Gentleman stated some of the objections to a rigid constitution, but he also found some merits in the rigidity of the American constitution, because he said it rendered service in forming the mind and temper of the people and trained them to habits of legality. In that House, however, they had the Attorney-General for Ireland explaining that a man who held his property by process of law was comparable to a highway robber, and that the habits of their countrymen were to be so trained that they might break past contracts. Such a policy would, he thought, only train the people in habits of illegality, tempered by expensive litigation.

VISCOUNT CASTLEREAGH (Maidstone) was sorry that the discussion on this clause had been so prolonged, because they were all agreed upon the policy, but differed upon the question of whether it should or should not be retrospective. The Attorney-General for Ireland had indulged in violent invective against the landlords, but what he would like to ask was whether a tenant when he built a house on the property of the landlord was compelled to do so. The retrospective character of the Bill would create great injustice in the case of the wealthy landlord, a fact which might not appeal to hon. Members. He would therefore appeal to them on the ground that it would injure the poor landlord, Let them take the position of a poor landlord who had a wealthy tenant. It was possible that the wealthy tenant might so improve—if it could be called improving—the dwelling house belonging to the poor landlord, that if it was in a poor locality it would be impossible in future for the landlord to let it, and yet he would be called upon to pay for that improvement, and the landlord would find that the much improved dwelling left on his hands was in the nature of a white elephant. What was he to do in such a case? They had heard a great deal about the injustices which the Bill would remedy, but there were several injustices which the Bill created. They were, however, very anxious to know from the right hon. Gentleman what were the injustices which this Bill would remedy. It certainly was the practice of hon. Gentlemen below the gangway to transfer property belonging to A to B, but he sincerely hoped that that was not the policy of the Chief Secretary for Ireland. If the Bill were made retrospective it would be a direct interference with contracts between man and man, and he thought the right hon. Gentleman was paying a poor tribute to the intellect of his countrymen if he thought that the tenants had been deluded by the landlords into making improvements on their property. He could only urge the right hon. Gentleman to give them some adequate reason, or indeed any reason, why this Bill should have retrospective application.

MR. WALTER LONG said he only interposed for a moment in consequence of the challenge of the Attorney-General for Ireland. When the right hon. and learned Gentleman had been longer in the House he would find that it did not conduce to the rapid or smooth passage of legislation that Ministers should by their language offer strong inducements to opposition on the part of those who were opposed to them. If it had not been for the happier arrangement made earlier in the evening he thought the right hon. and learned Gentleman would have had cause to regret the animadversions which he had made upon those who sat on the Opposition side of the House and especially upon the Ulster Members. His right hon. friend the Member for Dublin University had stated quite accurately the position of Irish Unionists in regard to this question, and it was a very strong order for the Attorney-General to suggest across the floor of the House that they were endeavouring to defeat the Bill because they were trying to carry Amendments which they indicated during Second Reading debate.

MR. CHERRY stated that all he had said was that, although hon. Members opposite had expressed themselves in favour of the principle of the Bill, no one who had listened to the debate would have suspected it.

MR. WALTER LONG said that that was exactly the statement that he was referring to, his point being that for the right hon. and learned Gentleman to make such statements did not conduce to the rapid passing of the measure, as it only led to replies from their side of the House. He repeated his view that compensation for improvements to town tenants was a desirable and necessary reform of the law, and when the right hon. and learned Gentleman said that it was something new for Unionists to express themselves in favour of compensation, they having been responsible for a measure which gave agricultural tenants compensation for unexhausted improvements it was a little late in the day to say that they had for the first time expressed their sympathy with the principle.

MR. CHERRY: I never said anything of the kind.

MR. WALTER LONG said it was, however, an entirely different thing to apply the Bill to existing contracts made before the psssing of the Act. That was an invasion of a serious principle, and the Bill ought not to apply to improvements made before it passed. It was conceded that it was to apply to existing contracts, but they held very strongly that it was a mere matter of justice to exclude those improvements which were executed before the Act passed, and which neither landlord nor tenant contemplated any Act would apply to.

SIR FREDERICK BANBURY could not agree that there was a monopoly in house property as there was in a sense in land because the quantity was limited. In Ireland he believed that at the present time a certain number of houses were vacant. He did not think that any argument that he used would affect the right hon. Gentleman, but surely the arguments of his own leaders would have some effect upon him. On 24th February

1876, long after the legislation of 1871, the present Secretary of State for India on the introduction of the Tenancy of Town Houses (Ireland) Bill said that houses were not like land, because they were not limited or fixed in number. In other words, house accommodation, to use the words of the hated political economist, was made simply to supply the demand. Those were the words of one of the most eminent men who ever sat on the Treasury Bench, and they completely answered the argument of the only hon. Member who had risen from the Government side of the House to support the Bill. The Attorney-General had reiterated the old arguments that the Act of 1870 was retrospective, that there was no difference between an agricultural holding and a town holding, and that he did not see that it made any difference whether a man built a farm house or a town residence. Yet Mr. Gladstone, who passed the Land Acts of 1870 and 1880, and who therefore must have known the reason for introducing those measures, was opposed to the alteration of the tenure of town houses. The Secretary of State for India at that time gave the answer as to the difference between town and agricultural holdings which the Opposition had asked the hon. and learned Gentleman to explain. All the [right hon. and learned Gentleman said was that the Act of 1870 was a good Act and that it ought to have applied to town holdings. The right hon. Gentleman the Secretary of State for India said—

> "The man fest reason why contracts not to claim for improvements were declared null and void under the Act of 1870 was because the tenant was supposed and justly supposed to have no freedom. If that was true with regard to agricultural holdings, it was only true in a modified degree of houses in the town, because if a man was turned out of a house in a town he would have a fair chance of getting another house. He was told that in Dublin there were too many houses."

Now that he had shown what right hon. Gentlemen on the Front Bench thought, and what those who were actually interested in the Acts of 1870 and 1880 felt in regard to this matter, he hoped that the right hon. Gentleman would either accept this Amendment or give some good reason why he differed from the opinions which he had quoted to the House.

MR. BRYCE said in this House they were accustomed to spend a great deal of time in referring to what hon. Members and former Members had said in past times, and he did not believe that any assembly ever embarked on a more unfruitful course. He had never known anyone to be converted by what some one else had said many years before. Even the words of Mr. Gladstone, spoken many years ago, should not be taken as the highest authority, because it must be recollected that he, like all great men, sometimes changed his opinions. He regretted that the hon. Baronet should have devoted so much time to these citations. He had not heard a single argument advanced upon this Amendment that had not been advanced at a previous stage. The House had practically discussed the whole question of retrospection upon the Motion to leave out the clause, yet that argument had been persisted in, and nearly every speaker upon this Amendment had returned to it. The noble Lord the Member for Maidstone asked what ground of justice there was in this Bill, and he (Mr. Bryce) had endeavoured to explain that the ground of justice was that, the tenant having increased the value of the landlord's property, it was only fair that the landlord should pay for it, but that he should not be obliged to pay more than the amount he was proved to be benefited, and that amount would be settled by the amount that he could charge for the holding. He could only say, in reply to the statement that he had made an attack on the right hon. Gentleman the Member for South Dublin, that he had no such intention. But he certainly believed that allusions to what was said in former years did not carry this question much further. He hoped the House would now come to a decision upon the Amendment.

MR. CHARLES CRAIG said it was quite true to say that if any new light was thrown upon a question it was the duty of a man to change his opinion. But the right hon. Gentleman had thrown no new light whatever upon this question. What new light had been thrown on the condition of town tenancies since 1886? The town tenancies of Ireland and of England were in the same position to-day as they were ten or even fifty years ago. It was the duty of the right hon. Gentleman to tell the House what were the circumstances which had altered the condition of town tenancies. The right hon. Gentleman said they had altered, but he could not say how. The only hon. Member who had spoken in support of this Bill had made an extraordinary defence. He had expressed the opinion that whatever was fair as regarded the future must be fair as regarded the past; but had he considered the subject for a moment he would have seen that that was not a true inference. It was proposed to enact in the future a provision that had not been enforceable in the past. It had not been competent for a tenant in the past to claim compensation for improvements. One of the strongest arguments against the retrospective clause of the Bill was to be found in the fact that the framers of the Bill themselves put into it serious limitations with regard to obtaining compensation for improvements made in the future. Past improvements were made by the tenant without any idea of ever obtaining compensation for them, and with the certain knowledge on the part of the landlord that he would not be called upon to pay. That was the broad ground upon which those with whom he sat objected to this retrospective section. He quite agreed that in the main the theory of compensation for improvements which increased the letting value of the holding was a fair theory. But compensation for improvements which were made thirty or fifty years before, under totally different circumstances to those which were set up by this Bill, was neither logical nor just. One of the things which made him a little anxious for the future tenants was that the right hon. Gentleman left out all the great towns of Ireland. He admitted that in the small towns the landlords had a monopoly. There were towns, no doubt, where the landlords had not acted justly from the tenants' point of view, and in so doing had acted to their own detriment. They had put obstructions in the way of the tenants' improving their property, and it was in those towns where the landlords had acted improperly that the tenants had raised this agitation. When they came to deal with the large towns in Ireland, where a monopoly in houses did not exist, the case was different. In Belfast there were, he should think, from 40,000 to 50,000 houses, and he knew as a fact that a very considerable number had, for the last few years, been lying idle. In Belfast, therefore, by reason of the fact that the supply of houses was very largely in excess of the demand, not only was there no necessity for the retrospective part of the Bill, but the other parts also were not required.

*MR. SPEAKER said the hon. Gentleman was anticipating an Amendment of his own to come on later.

MR. CHARLES CRAIG said the Government, in adopting this Bill, were not giving proper weight to the case of the larger towns. A number of the smaller towns, no doubt, needed the provisions of the Bill, but they were not needed in the larger towns, and would produce a considerable amount of unnecessary litigation and friction between landlords and tenants. If one landlord would not give proper terms the tenant could go to another, and natural competition would ensure him better terms. The Bill was never intended to apply to such cases as those. It was called into being by reason of the unfair conditions which prevailed in a number of small country towns in Ireland, and to pass the Bill as it stood would do an immense amount of harm in the large towns. Whether it actually caused loss to the landlords or not, it was bound to set up a state of friction between landlord and tenant, creating a bad feeling between them which had not hitherto existed. The arguments against making the Bill retrospective were mostly arguments of principle. He hoped, however, that hon. Members opposite would realise what would happen if such a Bill were to pass for England to-morrow. In the English Bill of last session there was a provision that nothing in the Bill should apply to improvements made before the passing of the Act. He hoped the hon. Members whose names were on the back of that Bill would take the action they thought a year ago was the proper course in this matter. He trusted that hon. Members would for once in a way exercise their judgment, and not be led by the nose by the Chief Secretary for Ireland and his two lieutenants. He believed the Bill, if passed in its present form, would do infinitely more harm than good. It would discourage the erection of small houses, and tend to set up a monopoly in houses which would be infinitely worse for the tenants than their present position.

Question put.

The House divided:—Ayes, 89; Noes, 329. (Division List No. 420.)

AYES.

Anson, Sir William Reynell
Anstruther-Gray, Major
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn. Sir H.
Balcarres, Lord
Baldwin, Alfred
Balfour, Rt. Hn. A. J. (City Lond.
Banbury, Sir Frederick George
Beach, Hn. Michael Hugh Hicks
Bertram, Julius
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cavendish, Rt. Hn. Victor C. W
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Coates, E. Feetham (Lewisham)
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Douglas, Rt. Hon. A. Akers-
Du Cros, Harvey
Duncan, Robt. (Lanark, Govan
Fardell, Sir T. George
Fell, Arthur
Fetherstonhaugh, Godfrey
Finch, Rt. Hon. George H.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Hay, Hon. Claude George
Helmsley, Viscount
Hervey, F. W. F. (Bury S. Edm'ds
Hill, Sir Clement (Shrewsbury)
Hunt, Rowland
Kenyon-Slaney, Rt. Hn. Col. W.
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Liddell, Henry
Lockwood, Rt. Hn. Lt.-Col. A. R.
Long, Rt. Hn. Walter (Dublin, S.
Lonsdale, John Brownlee
Magnus, Sir Philip
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Morpeth, Viscount
Parker, Sir Gilbert (Gravesend)
Parkes, Ebenezer
Pease, Herbert Pike (Darlingt'n
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Ropner, Colonel Sir Robert
Rothshcild, Hon. Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool, Walton
Smith, Hon. W. F. D. (Strand)
Stanley, Hn. Arthur (Ormskirk
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Tennant, Sir Edward (Salisbury
Thomson, W. Mitchell-(Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Vincent, Col. Sir C. E. Howard
Walrond, Hon. Lionel
Wilson, A. Stanley (York, E. R.
Wolff, Gustav Wilhelm
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE AYES—Sir Alexander Acland-Hood and Viscount Valentia.

NOES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Adkins, W. Ryland, D.
Alden, Percy
Ambrose, Robert
Armstrong, W. C. Heaton
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight
Barker, John
Barlow, John Emmott (Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Beaumont, Hn. W. C. B. (Hexhm
Beck, A. Cecil
Bell, Richard
Bennett, E. N.
Berridge, T. H. D.
Bethell, Sir J. H. (Essex, Romf'rd
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Boulton, A. C. F. (Ramsey)
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brodie, H. C.
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Chesh.
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cawley, Sir Frederick
Chance, Frederick William
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clancy, John Joseph
Clough, William
Clynes, J. R.
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Collins, Sir Wm. J. (S. Pancras, W
Condon, Thomas Joseph
Corbett, C. H (Susesx, E. Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Crossley, William J.
Dalmeny, Lord
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan)
Davies, W. Howell (Bristol, S.)
Delany, William

Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley,
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. George Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Field, Alexander
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone,Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Hall, Frederick
Halpin, J.
Hammond, John
Hardie, J. Keir(MerthyrTydvil
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Helme, Norval Watson
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Holland, Sir William Henry
Hope, John Deans (Fife, West)
Hope, W.Bateman(Somerset,N
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Jones, Sir D.Brynmor(Swansea
Jones, Leif (Appleby)
Jones, William(Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lea, HughCecil(St.Pancras, E.)
Leese, SirJosephF.(Accrington
Lever, W. H. (Cheshire, Wirral
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Macdonald, J.M.(Falkirk,B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kenna, Reginald
M'Killop, W,
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Marks, G. Croydon(Launceston
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, E, S.
Mooney, J. J.
Morgan, J. Lloyd (Carmarthen)
Morley, Rt. Hon. John
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Myer, Horatio
Nannetti, Joseph P.
Napier, T. B.
Nichols, George
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow,W.
O'Connor, John (Kildare, N.)
O'Donnell, John (Mayo, S.)
O'Donnell, T. (Kerry, W.)
O'Grady, J.
O'Hare, Patrick
O'Kelly, James(Roscommon,N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Philipps, Col.Ivor(S'thampton)
Philipps, J.Wynford(Pembroke
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinb'gh,Central)
Price, RobertJohn(Norfolk, E.)
Priestley, W.E.B. (Bradford,E.
Radford, G. H.
Raphael, Herbert H.
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thos. (W. Monm'th)
Richards, T. F. (Wolverh'mptn
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson John H. (Denbighs.)
Robertson, Rt. Hn. E. (Dundee
Robertson, SirG.Scott(Bradf'rd
Robinson, S.
Robson, Sir William Snowdon
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A.H.(Ashton under Lyne
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Snowden, P.
Spicer, Sir Albert
Stanley, Hn. A.Lyulph(Chesh.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe
Thomas, SirA.(Glamorgan, E.
Thomas,David Alfred(Merthyr)
Thompson,J.W.H.(Somerset,E.
Thorne, William

Torrance, Sir A. M.
Toulmin, George
Ure, Alexander
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Wallace, Robert
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Wardle, George J.
Wason, JohnCathcart(Orkney)
Wedgwood, Josiah C.
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, J. (Glamorgan)
Williams, Llewelyn(Carmarthn
Williams, Osmond (Merioneth)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W.(Worcestersh., N.
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

VISCOUNT HELMSLEY (Yorkshire, N.R., Thirsk) moved to insert the words "which he shall have paid for on his entry." It was absurd that a man should be expected to pay a tenant for improvements made by that tenant's predecessor, and not paid for by the tenant. Such an Amendment seemed absolutely necessary, otherwise the man who reaped the advantage of the Bill would not be the man who had made the improvements. It seemed to him very unjust that a person should pay compensation to a man who had himself not paid anything for the improvements. He thought the Chief Secretary would realise that the Amendment was reasonable, and he begged to move.

MR. HICKS BEACH (Gloucester, Tewkesbury) seconded.

Amendment proposed to the Bill.

"In page 1, line 10, after the word 'title,' to insert the words 'which he shall have paid for on his entry.'"—(*Viscount Helmsley.*)

Question proposed "That those words be there inserted in the Bill."

*MR. CHERRY said he was sorry he could not accept the Amendment. He was rather inclined to think that the hon. Member did not quite realise its effect, for it would deprive of compensation the son of the man who had made the improvements. In the case of a man who had made a valuable improvement and his son became his successor in title, under this Amendment that son could not get any compensation. What difference did it make to the landlord whether the man in possession made the improvements or inherited them? Surely that made no difference to the landlord. The landlord acquired the additional value of the property, and the Bill required that he should pay for it.

SIR E. CARSON (Dublin University) admitted that there was a good deal in what the Attorney-General had said, but his observations were not germane to existing contracts, where claims arose in reference to improvements made before the passing of the Bill. If a man had made improvements upon a holding and proceeded to assign his tenancy, he would assign it to the assignee on the assumption that there was nothing to be paid for the improvements at the expiration of the tenancy. If a man took over a three years tenancy, giving nothing whatever for the assignment, but taking it over at the old rent, was it fair that that tenant should make a claim for improvements made thirty or forty years ago? They were simply conferring on the tenant a free gift for improvements which he had never made. The whole difficulty arose from the fact that the draughtsman had drawn no distinction as regarded two cases which were absolutely different. If the Chief Secretary had been responsible for the drafting of the Bill, he would have seen that some clear distinction was drawn between contracts made before and those made after the passing of the Act. He thought that the Amendment of the noble Lord was necessary in consequence of the way in which the Bill was drawn, and that its acceptance was necessary to prevent injustice.

MR. BRYCE said the Amendment would destroy the claim of the tenant altogether in a great many cases where the property passed from one member of a family to another. In a great many cases the tenancy would be purchased as it stood, and the purchaser would give more for it on account of the value added to it by the improvements. Under all the circumstances he asked the House not to accept the Amendment.

LORD R. CECIL said the right hon. Gentleman had not met the point. The point was in regard to a tenant who came in under the existing system knowing that he would not get compensation from the landlord. That was the point which the right hon. Gentleman did not see, or discreetly did not answer, for he did not think there was any answer. He hoped that the Government would at some future stage introduce words to meet the undoubted hardship and injustice which had been pointed out in connection with this clause.

MR. DILLON (Mayo, E.) submitted that there was no case of hardship or injustice in the matter. Every single argument used by the noble Lord had been used against the Land Bill. The Ulster holdings were bought and sold dozens of times under exactly the same circumstances. Houses which were built by one set of tenants were sold to other tenants, but that did not prevent this House from giving to the tenants the full benefit of the improvements which had been made before they bought the houses. The very same argument which was used by the noble Lord against giving compensation to a tenant who had bought a house in a town was used in 1880 against giving compensation to the tenants in Ulster. It was exactly the same case, and the attempts made by the noble Lord to set up a distinction between a man who built a house in a town or on the roadside and a man who built a house on his little farm in Ireland was in point of equity absurd.

*MR. JAMES CAMPBELL said he quite agreed that the Chief Secretary was right in not accepting the Amendment, because it would undoubtedly apply to a case of devolution under a will or to a case of intestacy, or next of kin, or the heir at law as the case might be. But the right hon. Gentleman had not answered the grievance pointed out by his hon. and learned friend regarding the injustice which would necessarily arise as to compensation for past improvements in certain cases. The injustice was that a man who had bought the interest under an existing lease three years ago would be able to claim compensation in respect of an improvement which had cost perhaps £1,000, though the man who sold the house to him knew that as the law stood he could get nothing from the landlord or anybody else. The assignee in purchasing would not give value in respect of that improvement, because he knew that he would have to give it up at the end of the lease. But under this Bill a man who was lucky enough to make an investment of that kind would get compensation for the increased letting value given to the holding by his predecessor in title. Was it not perfectly plain that that was a case which ought to be guarded against? The analogy quoted by the hon. Member for East Mayo had no application whatever. The Ulster tenants before there was any legislation got full value, by virtue of the custom known as the "Ulster custom." To use that argument as an answer to the injustice which must necessarily arise in the case of some past improvements by town tenants was no answer at all. Under this Bill the purchaser of a house who had not expended a shilling himself on the improvements or given his predecessor a shilling in respect of improvements which he had made, would be entitled to make his landlord pay whatever sum the Court thought represented the improved letting value. That was grossly injust, and he hoped the Chief Secretary would give some promise of an Amendment to deal with such exceptional cases. He admitted that this Amendment went too far, but he thought an assurance might be given that an Amendment would be introduced to obviate the injustice which he had indicated.

SIR FREDERICK BANBURY said that what happened under the Land Act of 1880 was a totally different thing from what was proposed under this Bill. The arguments in favour of compensation under the Land Act of 1880 were that the tenants in Ireland were rack-rented, that that had gone on from year to year, and that they had done certain things for the holdings. In the case of a town holding the tenant was not rack-rented, and when he made an improvement he never expected to receive anything from the landlord. The tenant had been compensated by holding the land at an inadequate rental, agreed upon when it was understood that no compensation would be paid by the landlord for improvements. Unless this Amendment was accepted many landlords would be penalised because they had trusted the Legislature.

Question put.

The House divided:—Ayes, 83; Noes, 321. (Division List No. 421.)

AYES.

Acland-Hood, Rt.Hn.SirAlexF.
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt.Hn.Sir H.
Balcarres, Lord
Baldwin, Alfred
Balfour,Rt.Hn.A.J.(CityLond.)
Beach, Hn.Michael HughHicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H
Cave, George
Cavendish, Rt.Hn.Victor, C.W.
Cecil, Evelyn (Aston Manor)
Cecil Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain,RtHn.J.A.(Worc.
Coates, E.Feetham(Lewisham)
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Douglas, Rt. Hon. A. Akers-
Duncan,Robert(Lanark,Govan
Fardell, Sir T. George
Fell, Arthur
Fetherstonhaugh, Godfrey
Finch, Rt. Hon. George H.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Helmsley, Viscount
Hervey,F.W.F.(BuryS.Edm'ds)
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Hunt, Rowland
Keswick, William
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long,Rt.Hn.Walter(Dublin,S.)
Lonsdale, John Brownlee
Lowe, Sir Francis William
Magnus, Sir Philip
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Morpeth, Viscount
Parkes, Ebenezer
Pease,HerbertPike(Darlington)
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rawlinson, JohnFrederickPeel
Remnant, James Farquharson
Ropner, Colonel Sir Robert
Rothschild, Hon. Lionel Walter
Salter, Arthur Clavell
Smith, Abel H. (Hertford,East)
Smith, F.E.(Liverpool,Walton)
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.)
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson,W. Mitchell-(Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Valentia, Viscount
Walrond, Hon. Lionel
Wolff, Gustav Wilhelm
Wortley, Rt. Hon. C. B.Stuart-
Wyndham, Rt. Hon. George

TELLERS FOR THE AYES—Viscount Castlereagh and Sir Frederick Banbury.

NOES.

Abraham,William (Cork, N.E.)
Abraham, William (Rhondda)
Adkins, W. Ryland D.
Alden, Percy
Ambrose, Robert
Armstrong, W. C. Heaton
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Berridge, T. H. D.
Bertram, Julius
Bethell,SirJ.H.(Essex,Romf'rd)
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Boland, John
Boulton, A. C. F. (Ramsey)
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brodie, H. C.
Brunner, J.F.L.(Lancs., Leigh)
Brunner,Rt.Hn.SirJ.T.(Chesh.)
Bryce, Rt.Hn.James(Aberdeen
Bryce, J.A.(Inverness Burghs)
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt.Hon. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Causton,Rt.Hn.RichardKnight
Cawley, Sir Frederick
Chance, Frederick William
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clancy, John Joseph
Clough, William
Clynes, J. R.
Coats, Sir T.Glen (Renfrew,W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Condon, Thomas Joseph
Corbett, CH.(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crooks, William
Crossley, William J.
Davies, Ellis William (Eifion)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, John A.(Inverness-sh.)
Dillon, John
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)

Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Essex, R. W.
Evans. Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Field, William
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone,Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Sir W. Brampton
Hall, Frederick
Halpin, J.
Hammond, John
Hardie,J.Keir (MerthyrTydvil)
Hart-Davies, T.
Harvey, A. G. C.(Rochdale)
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde. Edward George
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope,W.Bateman(Somerset,N.
Horridge, Thomas Gardner
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Isaacs, Rufus Daniel
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jones,William(Carnarvonshire
Jowett, F. W.

Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Kitson, Rt. Hon Sir James
Laidlaw, Robert
Lamb, Edmund G.(Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lea, HughCecil(St.Pancras, E.)
Leese, SirJosephF.(Accrington)
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(FalkirkB'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah(Down, S.)
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Manfield, Harry (Northants)
Marks, G. Croydon(Launceston
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Molteno, Percy Alport
Mooney, J. J.
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Myer, Horatio
Nannetti, Joseph P.
Napier, T. B.
Nicholls, George
Nicholson, Chas. N.(Doncast'r)
Nolan, Joseph
Norton, Capt. Cecil William
O'Brien,Kendal(TipperaryMid)
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow,W.)
O'Connor, John (Kildare, N.)
O'Donnell, John (Mayo, S.)
O'Donnell, T. (Kerry, W.)
O'Grady, J.
O'Hare, Patrick
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)

Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Philipps, Col.Ivor(S'thampton)
Philipps, J.Wynford(Pembroke
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Robert John(Norfolk,E.)
Radford, G. H.
Raphael, Herbert H.
Rea, Walter Russell(Scarboro')
Redmond, JohnE. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards,Thomas(W.Monm'th)
Richards, T. F.(Wolverh'mptn)
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson,Rt. Hn.E. (Dundee)
Robertson, SirG.Scott(Bradf'd)
Robinson, S.
Robson, Sir William Snowdon
Rowlands, J.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott,A.H.(Ashton-under-Lyne
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shackleton, David James
Shaw,Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth,Thomas F. (Leitrim, S.)
Snowden, P.
Stanger, H. Y.
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strachey, Sir Edward
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas,Sir A. (Glamorgan, E.)
Thomas,DavidAlfred (Merthyr)
Thompson,J.W.H.(SomersetE)
Thorne, William
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Wallace, Robert
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)

Walton, Joseph (Barnsley)
Ward, John (Stoke-upon-Trent)
Wardle, George J.
Wason, John Cathcart (Orkney)
Wedgwood, Josiah C.
White, George (Norfolk,)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, J. (Glamorgan)
Williams, Llewelyn (Carmarthn)
Williams, Osmond (Merioneth)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J.W. (Worcestersh., N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Young, Samuel

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. RAWLINSON (Cambridge University) moved to insert the words "with the consent of the landlord," so that the clause should read "compensation to be paid by the landlord in respect of all improvements on his holding made by him or his predecessors in title with the previous consent of the landlord." He submitted that the Government should accept the spirit, if not the words, of the Amendment, unless they intended not to accept any Amendment at all. The clause dealt with cases where the tenant had made improvements, not only without the consent of the landlord, but against his express wish, and yet at the end of the tenancy the tenant might come down on the poor landlord and demand compensation for the improvements.

*MR. CLAVELL SALTER (Hants, Basingstoke) seconded the Amendment, and he expressed the hope that with a verbal alteration it might receive the sanction of the Attorney-General for Ireland. He should propose to add after "landlord" the words "or the sanction of the Court." That would make the clause consistent with the principle of the Bill, and it would remove in some degree the admitted hardship which would be caused to landlords by the operation of the clause. The Amendment would carry out the principle of the Bill, and he urged its acceptance.

Amendment proposed to the Bill—

"In page 1, line 10, after the word 'title' to insert the words 'with the consent of the landlord.'"

Question proposed, "That those words be there inserted in the Bill."

*MR. CHERRY said it was a little inconvenient on the Report stage for an Amendment to be moved which was not on the Paper.

MR. RAWLINSON said his Amendment was on the Paper at a different place.

*MR. CHERRY said that might be so, but he was going to say that it was still more inconvenient to consider an Amendment when one was told by the proposer and seconder that it could not be accepted in the form in which it was drawn, and one was called upon to redraft, at a moment's notice, an Amendment proposed by two hon. Members opposite, both of whom he understood were legal luminaries. As regards the Amendment as originally proposed, he did not know whether the hon. and learned Member had noticed that his proposal would contract the whole scope of the Bill with respect to future improvements. He presumed the intention was that the Amendment should apply to both past and future improvements.

MR. RAWLINSON said his hon. and learned friend had suggested the insertion of the words "or the sanction of the Court." He himself was dealing with past improvements, but his hon. and learned friend suggested the addition of those words, which would meet the technical point of the Attorney-General for Ireland.

*MR. CHERRY inquired if the hon. and learned Gentleman did not see that that would increase the difficulty. It would make the Amendment far more ludicrous in view of the provisions of Clause 3. Nobody would go to the Court if the landlord consented, and it seemed to him that the two Amendments were mutually destructive. This was another attempt by a side wind to get out of the effects of the clause. Everybody knew that there never was any formal consent given to an improvement. The landlord said nothing and stood by. A landlord living in London, who owned a small village in Ireland, did not think about the improvements his tenants were making and did not care about them. Under the Amendment the onus would lie upon the tenant to show active consent, which no tenant could show. The effect would be to exclude every past improvement from the benefit of the Act, and render future improvements impossible. He knew perfectly well from what took place in Ireland that that would be the effect both in the case of an agricultural holding and a non-agricultural holding. Unless there was a clause in the lease requiring it, no landlord ever gave consent, and the tenant, knowing that he was improving his landlord's property, did not take the trouble to inform him what he was doing.

MR. A. J. BALFOUR (City of London) said he spoke with great diffidence when the question was the exact practice in regard to Ireland, but did the right hon. Gentleman tell him that in the case of the great houses in Dublin and Belfast the tenants holding on long leases were in the habit of making what alterations they pleased, without in any way consulting their landlords?

*MR. CHERRY said he was speaking not of tenants of large houses in great cities, but of the tenants of small houses in country towns.

MR. A. J. BALFOUR said that that was one of his complaints about the right hon. Gentleman's promotion of this Bill. He was always thinking of one class, and ignoring all other classes. He would take the case of the tenant holding a lease for ninety years in Dublin or Belfast who spent an amount upon his residence which improved its letting value to the extent of £50 a year. Supposing the character of the quarter of the town in which he lived changed; although the value of the house if it was to continue as a residence would be increased by £50 a year, if it was not used as residential property every penny spent on improvement would be wasted at the end of the lease because it was not necessary for the purpose for which the house would then be used.

MR. CHERRY said that in that case no compensation would be payable.

MR. A. J. BALFOUR said he had consulted his two learned friends near him upon the construction of the Bill, and they were quite clear that under it the tenant would receive compensation for changes which did not add a shilling a year to the amount which the landlord would receive under the circumstances he had mentioned. It was greatly to the advantage of big towns that landlords should be free to use their buildings for the purposes best suited to the needs of the town, and if the Government were going to penalise a landlord because he had to change the purpose for which his house was used they would inflict a gross injury not only upon him but upon the neighbourhood.

*MR. JAMES CAMPBELL did not think that the right hon. Gentleman in stating that the tenant would not get compensation under the circumstances which his right hon. friend detailed had had regard to the clauses of the Bill. He did not suggest that every question that arose in this way was capable of immediate solution, and the right hon. Gentleman might have spoken without considering what was the legal effect of certain passages in the Bill. The case which his right hon. friend the Leader of the Opposition had put was that of a man who had a lease of a very valuable dwelling house, and in the course of his occupation under the lease had spent £2,000 in remodelling the house, with the result that, although he only paid £100 a year himself, at the end of the lease that same house, if let as a dwelling house, would fetch £150. In the ordinary case the outgoing tenant would be entitled to get compensation for the improvements which represented that increased rental value of £50 a year. But supposing the character of the locality changed in such a way that to let the house as a dwelling house would be a very uneconomic and very improper use of it: it might be that the landlord would decide that the building should cease to be used as a dwelling house and use it for some other purpose. Did the right hon. Gentleman say that under those circumstances the outgoing tenant would not be entitled to compensation?

MR. CHERRY said the tenant would not be entitled because he had not increased the letting value.

*MR. JAMES CAMPBELL said that in that case the right hon. Gentleman was giving away his whole Bill, because that might be held to be unfair to the tenant, as the property might let for considerably more than £150 a year, but not in consequence of the improvements which the tenant had made. It was a conceivable case that the landlord, having got his residence back, might without reaping anything from the tenants' improvement *bona fide* change the use of the holding and, applying it to another purpose, obtain an increased letting value which was in no way attributable to the tenant's improvements. Why should the tenant get the benefit of improvements out of which the landlord was not going to get a shilling, and which so far from benefiting his house had injured it, because the improvements were not suited to the new purposes to which the landlord intended to apply it? He thought therefore the right hon. Gentleman would see that he was very rash and hasty in saying in answer to the question of his right hon. friend that in the case he mentioned the tenant would not get any compensation. He contended that under the clause the tenant would get compensation. What were the conditions which entitled the tenant to compensation? First, that the improvement had added to the letting value of the holding. In this case he would have added £50 a year. The second condition was that the improvements should be suitable, and in this case they were suitable for a dwelling house, and it seemed to him that the tenant would have fulfilled every condition under the Bill to entitle him to compensation. The right hon. Gentleman opposite struck by the injustice of the case said that under those circumstances the tenant would get nothing.

MR. CHERRY said he was not struck by the injustice of the case; he was dealing with the language of the Bill.

*MR. JAMES CAMPBELL said it might be thought ludicrous to deprive a tenant of compensation on any such principle as that, but certainly it was not to be found in the Bill. If the right hon. Gentleman would consider Clause 1 he would see that his answer must be that the tenant would get compensation. He admitted the difficulty of, on the moment, answering a question of the kind, and if the Attorney-General was prepared to admit that in the case put by his right hon. friend the tenant would get compensation, he ought to accept the Amendment which would prevent such an unjust result.

MR. DILLON admired the dexterity with which the right hon. and learned Gentleman the junior Member for Dublin University had seized upon a preposterous point and had spent an inordinate length of time in worrying over it with some plausibility. It was doubtless a great Parliamentary achievement, but he was amazed that the right hon. and learned Gentleman when an arrangement had been arrived at should be engaged in an exercise, which, however meritorious it might be if they were going to sit and discuss the matter all night, was, under existing circumstances, a sheer waste of time. His arguments had no significance or weight whatever. It was simply absurd to hear the right hon. Gentleman shedding tears over the prospective miseries of a landlord who had got from his tenant a house which had been improved to the extent of £50 a year in value by the expenditure of the tenant's own money, and who had then found out that, owing to circumstances over which he had not control, it would pay him better to pull the property down and build a much larger place that would fetch a larger rent. The right hon. Gentleman would get no sympathy from him (Mr. Dillon) or those who sat with him.

*SIR FRANCIS LOWE (Birmingham, Edgbaston) said he supported the Amendment not only on the grounds put forward by the Leader of the Opposition, but on other and more general grounds. The section as it stood seemed to be a most monstrous innovation of the law and custom of the British Isles, a law and custom which had been in operation for many years past. It had also to be borne in mind that this was not a Bill for the relief of poor persons. It was a Bill to enable persons of full age and understanding and wealthy persons to break contracts that they had entered into with others. If the Bill became law a man who had taken a lease of a house in Belfast for seven years, and had covenanted under that lease to do all the repairs, would be able to put up a billiard room and stables and other buildings, without the consent of his landlord, and at the end of the seven years the landlord would have to compensate him for the improvements so made. He was surprised that any lawyer on the Government side of the House should countenance such a principle, and he did not believe that any hon. Gentleman sitting on the Ministerial Benches really approved of it. Although the present Bill only applied to Ireland it was—if it were allowed to pass—the thin end of the wedge, and it would very soon be made to apply to England as well. Then let hon. Members think what might happen. An hon. Gentleman might take a house in London for the Parliamentary session, make improvements in it without the consent of his landlord, and then claim compensation for the improvements so made. If it was to compensate poor tenants for improvements for which it was equitable that they should have compensation he would have nothing to say, but it was to compensate rich people who had no need of compensation. He supported the Amendment.

Question put.

The House divided:—Ayes, 66; Noes, 296. (Division List, No. 422.)

AYES.

Acland-Hood, Rt.Hn.SirAlex.F
Ashley, W. W.
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Bull, Sir William James
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cavendish, Rt.Hn.Victor C. W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt.Hn.J.A.(Worc
Coates, E. Feetham(Lewisham)
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Cross, Alexander
Douglas, Rt. Hon. A. Akers-
Duncan, Robt. (Lanark, Govan
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hervey, F.W.F.(BuryS.Edm'ds
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Houston, Robert Paterson
Keswick, William
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Long, Rt.Hn.Walter(Dublin,S.
Lowe, Sir Francis William
Magnus, Sir Philip
Mason, James F. (Windsor)
Mildmay, Francis Bingham
O'Neill, Hon. Robert Torrens
Parkes, Ebenezer
Pease, HerbertPike(Darlington
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Remnant, James Farquharson
Salter, Arthur Clavell
Smith, F.E.(Liverpool,Walton)
Staveley-Hill, Henry (Staff'sh.)
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W.Mitchell- (Lanark
Thornton, Percy M.
Tuke, Sir John Batty
Valentia, Viscount
Walrond, Hon, Lionel
Wortley, Rt. Hon. C. B. Stuart
Wyndham, Rt. Hon. George

TELLERS FOR THE AYES—Mr. Rawlinson and Mr. Hicks Beach.

NOES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Adkins, W. Ryland
Alden, Percy D.
Allen, A.Acland (Christchurch)
Ambrose, Robert
Armstrong, W. C. Heaton
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury,E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow,John Emmott(S'mers't
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, SirJ.Williams(Devonp'rt
Benn, W.(T'w'rHamlets,S.Geo.
Berridge, T. H. D.
Bertram, Julius
Bethell, SirJ.H.(Essex,Romf'd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Bolton, T. D. (Derbyshire,N.E.
Boulton, A. C. F. (Ramsey)
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brodie, H. C.
Brunner, J.F.L. (Lancs.,Leigh)
Brunner,Rt.Hn.Sir J.T.(Chesh.
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt.Hn.Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clancy, John Joseph
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Cogan, Denis J.
Condon, Thomas Joseph
Corbett,C.H.(Sussex,E.Grinstd
Cornwall, Sir Edwin A.
Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Davies, Ellis William (Eifion)
Davies, W. Howell (Bristol, S.)

Delany, William
Dewar, John A. (Inverness-sh.
Dickinson, W.H.(St.Pancras,N
Dillon, John
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Field, William
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone, Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Halpin, J.
Hammond, John
Hardie, J.Keir (MerthyrTydvil
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col.Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope, W.Bateman(Somerset,N
Horridge, Thomas Gardner
Hudson, Walter
Hyde, Clarendon
Idris, T. H.W.
Isaacs, Rufus Daniel
Jenkins, J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jones, William(Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lea, HughCecil(St.Pancras, E.)
Leese, SirJosephF.(Accrington
Levy, Maurice
Lloyd-George, Rt. Hon. David
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh,Jeremiah (Down,S.)
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Manfield, Harry (Northants)
Marks, G.Croydon (Launceston
Mason, A. E. W. (Coventry)
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies Walter
Mooney, J. J.
Morgan, J. Lloyd (Carmarthen)
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Myer, Horatio
Nannetti, Joseph P.
Napier, T. B.
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
O'Brien,Kendal(Tipperary,Mid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow,W.
O'Connor, John (Kildare,N)
O'Donnell, John (Mayo, S.)
O'Donnell, T. (Kerry, W.)
O'Grady, J.
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pease, J. A. (Saffron Walden)
Philipps, Col.Ivor(S'thampton)
Philipps, J.Wynford(Pembroke
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick (Joseph)
Price, C. E. (Edinb'gh, Central)
Radford, G. H.
Raphael, Herbert H.
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W. Monmth
Richards, T. F. (Wolverh'mptn
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rowlands, J.
Samuel, Herbert L.(Cleveland)
Samuel, S. M. (Whitechapel)
Scott,A.H.(Ashton under Lyne)
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Snowden, P.
Stanger, H. Y.
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, SirA.(Glamorgan, E.)
Thomas, DavidAlfred (Merthyr
Thorne, William
Torrance, Sir A. M.
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward,John (Stoke upon Trent)
Wardle, George J.
Wason,John Cathcart (Orkney
Watt, H. Anderson
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax

Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wills, Arthur Walters
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. Herbert Lewis.

Amendment proposed to the Bill—

"In page 1, line 10, after the word 'which,' to insert the words 'at the date of such claim.'"—(*Mr. James Campbell.*)

Question, "That those words be there inserted in the Bill"—put, and agreed to.

LORD R. CECIL moved an Amendment to provide that the improvement for which compensation was to be paid should add to the letting value of the holding "for the purpose for which it is let, or proposed to be let, to any succeeding tenant." The Government, he said, ought to accept this Amendment, because the Chief Secretary and the Attorney-General for Ireland had repeatedly stated that the principle on which the clause rested was that the landlord should not be allowed to take the benefit of what a tenant had done without paying for it. He would instance the case of a property of the poorer class on the outskirts of a town which had been let on a long lease. Subsequently the town had spread, and the landlord proposed on the falling in of the leases to erect buildings of a better class. In such a case no improvement which a tenant might have carried out would be of the slightest value to the landlord. That was a common case. Then there was the case in which the landlord, in order to meet the necessities of the population, decided to convert houses which had gardens round them into an entirely different class of residences. It might be that he would not receive a very much increased rent, possibly not at all, but the neighbourhood was so changed that it was essential from a public, as well as a private, point of view that the nature of the property should be changed and improved, and that the growth of the town should be fostered. In such cases the landlord would not receive a penny in value from any improvement the tenant might have carried out. The Amendment would carry out the principle laid down by the Chief Secretary, namely, that the landlord was not to receive any advantage from the tenant without paying for it. He therefore asked the Government to accept the Amendment, not as in any way infringing or attacking the principle of the Bill, but as merely carrying it out and making it logically complete.

MR. HICKS BEACH seconded the Amendment.

Amendment proposed to the Bill—

"In page 1, line 11, after the word 'holding,' to insert the words 'for the purpose for which it is let, or proposed to be let, to any succeeding tenant.'"—(*Lord R. Cecil.*)

Question proposed, "That those words be there inserted in the Bill."

MR. CHERRY said it appeared to him that if this Amendment meant anything, its effect would be to exclude from compensation altogether tenants who were leaving houses which the landlord did not propose to let again. If the noble Lord's Amendment dealt only with cases where the holding was going to be re-let these words were unnecessary.

LORD R. CECIL said he would take the case of a cottage on the edge of a town. If the landlord proposed to turn it into a shop, any improvement executed by the tenant, though it would add to the letting value of the premises as a cottage, might diminish it if let as a shop.

MR. CHERRY said the Amendment was substantially the same as that of the right hon. Gentleman the Member for Dublin University. In his view the tenant in such a case, though it would be a very exceptional one, would not be entitled to compensation, because the improvement, to entitle the tenant to compensation, must add to the letting value.

SIR E. CARSON said the point appeared to be much more important than the Attorney-General would have them believe, and it might have a great effect on the development of towns in Ireland where there were small houses on the outskirts. The question was, supposing a landlord wanted to clear away a number of houses for the purpose of erecting an entirely different class of houses or business premises, was the tenant entitled to compensation for improvements? Upon this matter his sympathies were not at all with the views of the Attorney-General for Ireland, who had said that in such a case the tenant would not get any compensation for improvements. He would have thought the tenant had just as good a right to compensation as in the other case. What ought to be made clear upon this Amendment was whether, if the landlord desired to put the holding to a different purpose, the tenant would be deprived of compensation. That was the view of the Attorney-General, but it was not his view.

MR. CHERRY said that where the landlord let the premises for business purposes at an increased rent and the letting value of the premises had been increased by the tenant's improvements compensation could be claimed.

SIR E. CARSON asked if the landlord turned a residential cottage into premises for business purposes and had not availed himself of the tenant's improvements, would the tenant be entitled to claim compensation in that case? Surely the Government ought to make their meaning perfectly clear.

*MR. CLAVELL SALTER gave as an illustration the case of a tenant who had made considerable improvements in his residential premises, and at the end of his lease the landlord let out the premises as offices and realised a much higher rent than he had previously obtained. The improvements which the tenant had made might not add one single shilling to the letting value of the premises as offices.

MR. CLANCY (Dublin County, N.): He would get no compensation.

*MR. CLAVELL SALTER said if that was the case the Government were bound to insert the Amendment to make the point perfectly clear. As the clause now stood he ventured to say that it would lead to extensive litigation, and there was an ambiguity in this clause whch the House ought to be ashamed to leave in.

MR. CLANCY said this Amendment was supposed to provide for the case where a residence was turned into a business establishment, and he understood that the landlord was to be enabled to defeat the tenant's claim to compensation for this improvement by announcing his intention to turn the building into a residence again. If the Attorney-General had said that under those circumstances a tenant would not be entitled to compensation, he entirely disagreed with him.

MR. CHERRY: I said nothing of the kind.

MR. CLANCY said there were streets in Dublin in which houses that were fine residences at the beginning of last century had been saved from ruin by conversion into places of business. The landlord might not have given his written consent to the change, but he had practically consented because he had received rent under the changed conditions, and he would not have received it if he had not consented. The tenant had made, without any sanction of law, structural changes and prevented the houses from being ruined. In the cases where the landlords had been wise enough to consent to these improvements being made, by converting residential premises into business establishments the street in many cases had maintained a rent-paying character. The landlord had gone on receiving rent for these business premises, and by this Amendment the tenant could be robbed of his property if the landlord chose to turn the premises to residential purposes again. He understood that the Attorney-General had said that under those circumstances the tenant would get no compensation for his improvements.

MR. CHERRY said he had never stated anything of the kind, and the hon. Member was under a complete misapprehension. The case which he had put was one in which the letting value of the holding had been increased by the tenant's improvements.

MR. CLANCY hoped the Chief Secretary would not suggest that they should meet in any way the possible case suggested by the Opposition. A good deal of talk had been indulged in about robbery and confiscation. This was one of the cases in which real confiscation would take place.

MR. BRYCE said the Amendment would make the subject more difficult and obscure than it was now. In the view of the Government the clause was now plain and simple, but with the Amendment it would be a great deal more difficult to interpret, and for that reason they objected to the Amendment.

*MR. CAVE (Surrey, Kingston) said there might be cases where improvements would add to the letting value of the property for some purposes, and where, nevertheless, it would be a hardship that the landlord should be compelled to pay for them. He put the case of an improvement made by a tenant for his own purpose, and for which purpose the improvement would have value. It might be, however, of no use to the landlord for the purpose for which he desired to use the property after the determination of the tenancy, yet he under the Bill would be required to pay for something which to him had no value. Was the tenant to lose the value of the money spent, or was the landlord to pay for what was of no value to him? That was a point which ought to be dealt with one way or another. The Government were sitting on the fence.

MR. BRYCE: We have never had any doubt about it at all.

*MR. CAVE: It is clear now that the landlord has to pay for what is of no value to him.

MR. BRYCE: No.

*MR. CAVE said that was the effect of the clause as now interpreted. It was not a fair proposal, and he thought the only way to meet the case was to accept an Amendment of the kind proposed. If the Bill only applied to future improvements there would be very much less to be said for the Amendment, for in that case the landlord would have the right to object to a proposed improvement on the ground that he desired to use or let the property for some purpose for which the improvement would be of no use, and to bring the matter before the Court. That would be fair enough, or, at all events, the landlord would have some remedy, but it would be extremely unfair that he should pay for that which had been already done without his having any opportunity of objecting to it.

MR. PARKER (Halifax) said it appeared to be clear that the tenant, on leaving premises on which he had made improvements with the consent of the landlord, would be entitled to compensation. But supposing that a tenant took a house and found that it did not suit his convenience, and that he carried out certain things which were essential, such as the building of wash-houses, to which he could not get the landlord's consent, was he, as the Amendment proposed, to get no compensation at all if the landlord decided to use the premises for a different purpose and pulled down the wash-house? He submitted that that would be an injustice to the tenant. On that ground he opposed the Amendment.

CAPTAIN CRAIG (Down, E.) said the debate so far had not drawn from the Minister in charge of the Bill that reply in regard to the interpretation of the clause which they would have been glad to hear. If the landlord of property in a poor residential neighbourhood decided to pull down at the earliest possible opportunity, houses which were in an insanitary condition, what would happen under this clause in regard to improvements which had been made by the tenants on the houses which were to be demolished? In the case mentioned by the hon. Member below the gangway the tenant might have expended £200 or £300 in building premises suitable for a laundry. According to the clause, that added to the letting value of the holding, but at the termination of the lease the landlord might decide to change the aspect of the whole district. Was the tenant not to get compensation for the laundry buildings which had added to the letting value of the property if used for that purpose, simply because the landlord decided not to continue the place as a laundry? Would the right hon. Gentleman say that the clause assured compensation to the tenant who had carried on the laundry business, no matter how at the end of the tenancy the landlord might desire to change the character of the place? He thought an answer to that question would clear the air.

Mr. BRYCE said he would tell the hon. Member what he thought the clause meant, and what he thought it ought to mean. The basis of a claim for compensation would be benefit accruing to the landlord, and the mere fact that a landlord did not wish to use the property for a similar purpose did not deprive the tenant of his claim. If the landlord, on the other hand, wanted to improve the property still further and swept away the whole existing improvements in carrying out his plans, the claim for compensation would not attach. But under the Amendment the Courts would be very much perplexed, and it would be better to leave it on the broad basis that the tenant should be compensated for his addition to the landlord's value. He hoped after the long discussion which had taken place the House would now allow the division to take place.

Mr. BOWLES (Lambeth, Norwood) thought that after the statement of the right hon. Gentleman it was manifest that if the clause was left as it stood enormous confusion would inevitably arise. The right hon. Gentleman had said that unless the letting value of the holding was increased no compensation would be due. He could not have apprehended the case put from the Opposition Benches during the last hour and a half. If a tenant made an improvement which at the end of the tenancy the landlord in his own interest thought it necessary to sweep away, it could not be said that that improvement had increased the letting value of the holding. That was a question which had not been made clear.

Mr. BRYCE: I have made it clear.

Mr. BOWLES said that, as to the remarks of the hon. Member below the gangway, he would like to point out that as a matter of fact the tenant in almost every case would have made his improvement without the slightest expectation of getting any compensation, so that no injustice would be done to the tenant, whereas a very grave injustice would be done to the landlord if he were called upon to pay compensation for an improvement which was of no value to him.

Question put,

The House divided:—Ayes, 40; Noes, 267. (Division List No. 423.)

AYES

Acland-Hood, Rt.HnSirAlex. F
Balcarres, Lord
Banbury, Sir Frederick George
Beckett, Hon. Gervase
Boyle, Sir Edward
Bull, Sir William James
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cecil, Lord John P. Joicey-
Craig, Capt. James (Down, E.)
Cross, Alexander
Douglas, Rt. Hon. A. Akers-
Duncan, Robt. (Lanark, Govan
Finch, Rt. Hon. George H.
Forster, Henry William
Haddock, George R.
Harrison-Broadley, Col. H. B.
Hill, Sir Clement, (Shrewsbury)
Houston, Robert Paterson
Kimber, Sir Henry
Lowe, Sir Francis William
Magnus, Sir Philip
Mason, James F. (Windsor)
Parkes, Ebenezer
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Rawlinson. JohnFrederickPee
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell-(Lanark
Thornton, Percy M.
Valentia, Viscount
Walrond, Hon. Lionel

Tellers for the Ayes—Mr. Charles Craig and Mr. Bowles.

NOES.

Abraham, William (Cork, N.E)
Abraham, William (Rhondda)
Alden, Percy
Allen, A.Acland(Christchurch)
Ambrose, Robert
Armstrong, W. C. Heaton
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, JosephA.(Finsbury,E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barry, E. (Cork, S.)
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, W.(T'w'rHamlets,S.Geo.
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell,SirJ.H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Bolton, T. D. (Derbyshire,N.E.
Boulton, A. C. F. (Ramsey)
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brunner, J.L.F.(Lancs., Leigh)

Brunner, Rt. Hn. Sir J. T. (Chesh
Bryce, Rt. Hn. James (Aberdeen
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clancy, John Joseph
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Cogan, Denis J.
Condon, Thomas Joseph
Corbett, C. H. (Sussex, E Grinst'd
Cowan, W. H.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dickinson, W. H. (St. Pancras, N
Dillon, John
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Esmonde, Sir Thomas
Essex, R. W.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Field, William
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Griffith, Ellis J.
Hall, Frederick
Halpin, J.
Hammond, John
Hardie, J. Keir (Merthyr Tydvil)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hayden, John Patrick
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham John Sharp
Hobart, Sir Robert
Hogan, Micahel
Holland, Sir William Henry
Hope, John Deans (Fife, West)
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jenkins, J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster)
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Leese, Sir Joseph F. (Accrington
Lever, A. Levy (Essex, Harwich
Levy, Maurice
Lough, Thomas
Lundon, W.
Lynch, H. B.
Macdonald, J. M. (Falkirk B'ghs
Maclean, Donald
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Money, L. G. Chiozza
Mooney, J. J.
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Myer, Horatio
Nannetti, Joseph P.
Napier, T. B.
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W)
O'Connor, John (Kildare, N.)
O'Donnell, John (Mayo, S.)
O'Donnell T. (Kerry, W.)
O'Grady, J.
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, Sir W. D. (Colchester)
Philipps, J. Wynford, (Pembroke
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinburgh, Central)
Priestley, W. E. B. (Bradford, E.
Radford, G. H.
Raphael, Herbert H.
Rea, Walter Russell (Scarboro'
Redmond, John (E. Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thos. (W. Monm'th)
Richards, T. F. (Wolverh'mptn
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Rowlands, J.
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A. H. (Ashton under Lyne
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.
Shipman, Dr. John G.
Simon, John Allsebrook
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, David Alfred (Merthyr
Thorne, William
Torrance, Sir A. M.
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent
Wardle, George J.
Wason, John Cathcart (Orkney)
Watt, H. Anderson
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)

Whitehead, Rowland
Whitley, J. H. (Halifax)
Wiles, Thomas
Williams J. (Glamorgan)
Wills, Arthur Walters
Wilson, John (Durham, Mid.
Wilson, J. H. (Middlesborough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Jamuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. Herbert Lewis.

*MR. JAMES CAMPBELL moved an Amendment providing that in no case should the compensation payable exceed the cost of the improvements made. He thought that should commend itself to every hon. Member. [Laughter.] He was convinced that this was not a laughing matter at all, but a matter of substance and justice. What was proposed by the Amendment was to prevent the possibility of a tenant, who had spent, say, the sum of £1,000, coming into court and alleging that the result of his expenditure had been to increase the value of the landlord's property above and beyond the £1,000 which he had expended. It was possible that there would be such a case, and his contention was that the tenant would get ample justice if he got back his £1,000, although there might be circumstances in which the sum he received would be less than that expended, because the improvement might have been ill-advised, the work might not have been well done, or the change might not have improved the letting value of the holding. But if owing, to a change of fashion or to the fluctuating interests of industry and commerce, the particular locality in which he had expended that £1,000 became every day more suitable for buildings of the particular kind in which he had invested his money, with the result that the value did increase by more than the amount spent, surely ample justice was done if on quitting the property the amount which he had expended were regarded as the maximum of compensation payable.

Amendment proposed to the Bill—

"In page 1, line 13, after the word 'landlord,' to insert the words 'but in no case shall the compensation payable exceed the cost of such improvements.'"—(*Mr. James Campbell.*)

Question proposed, "That those words be there inserted in the Bill."

MR. BRYCE said he could not assent to the Amendment. Assuming that it was conceivable that a case of the kind mentioned by the right hon. Gentleman might arise, it was intended that the basis of compensation should be not the amount which the tenant had spent, but the benefit the landlord had received. He did not believe that the tenant would get more than he spent, but he did not wish the House to say that the *quantum* which he was to be paid should be measured by the sum he had expended. In such a case the Court would not give the unearned increment to the tenant, because the greater popularity of the neighbourhood would not be due to his action, and therefore he would not be entitled to it. They could not assume that the Court would ignore the plain justice of the case. This was a plain matter of reading the Bill and nobody could read it otherwise. He thought it would injure the measure if they were to adopt the Amendment.

MR. CHARLES CRAIG said the right hon. Gentleman seemed to doubt whether the circumstances which were outlined by his right hon. friend could happen, but he knew of a case in Belfast in which they had occurred. The main street in that city at the present time was known as Donegal Street. This particular business thoroughfare in Belfast up to fifteen years ago was mainly composed of dwelling-houses, there being only two or three business houses out of fifty or sixty in the street. It was quite possible by the expenditure of £500 or £1,000 to convert those houses into business premises which would let for two or three times more rent than they would as private dwelling-houses. That was a case which happened in every town—London, Dublin, and elsewhere. The right hon. Gentleman said that the basis on which the Bill was drafted was the benefit which the landlord received through the improvements of the tenant, so that the tenant might, in such cases as he had mentioned, receive twice or three times the amount of the money he had spent.

MR. BRYCE said that there was nothing in the Bill which would provide that changes in the locality should have anything to do with the compensation to be awarded.

MR. CHARLES CRAIG said the right hon. Gentleman had himself told them that the compensation was to be assessed on the increased letting value to the landlord irrespective of what the tenant had paid. The Bill did not state what were to be the limitations of the amount to be awarded to the tenant, and he thought he had shown that there were plenty of cases in which the improvement affected by the tenant in converting a house from a dwelling-house into trading premises might represent a much larger sum than the tenant spent. Therefore it seemed desirable that such cases should be met by an Amendment of the sort proposed.

MR. J. F. MASON (Windsor) said that a tenant might during the course of his lease spend £500 on his house, and it might be that when the lease came to an end, owing to changes in the building trade, that the improvement could not be effected for anything like the same cost. Therefore the landlord might have to pay more than the original amount that the tenant spent. Was the tenant to get a net profit for doing nothing whatever in addition to his being refunded the money which he originally spent?

SIR FREDERICK BANBURY was extremely glad that the right hon. Gentleman had refused to accept this Amendment, because by so doing he had thrown a strong light upon the motives of hon. Members who were supporting the Bill. They had been told over and over again that the Bill had been brought in to do an act of justice to tenants, so that when they had spent money on their houses they should receive it back again. The Amendment, which was an exceedingly simple one, suggested that compensation should be restricted to the amount spent, and he thought it ought to be accepted. When it was suggested that the compensation should be limited to the amount of money actually expended on the improvements, hon. Gentleman opposite laughed, and the right hon. Gentleman rose and said he could not accept the Amendment because the unearned increment did not belong to the tenant.

MR. BRYCE: That was not the answer I gave. I said it was an impossible case, and we could not cumber the Bill by providing for impossible cases.

SIR FREDERICK BANBURY pointed out that if such a case did arise it would be no evidence in a Court of law to say that the Chief Secretary to the Lord-Lieutenant of Ireland had stated in his place in the House of Commons that no such case could arise. What had to be done was to avoid as far as possible unnecessary litigation. Even supposing that everything that had been said in favour of the Bill were true and that these words were superfluous, still it should be the object of the House to incorporate them so that every safeguard might be put in the Bill. It was the desire of every Member of the House to avoid unnecessary litigation, and that being so, there could be no objection to inserting words that went to prove that no possible action could possibly lie for compensation above the amount which the tenant had actually paid for the improvement. It seemed to him that the proposition was an unanswerable one. He was glad to see it was received with laughter by hon. Members opposite and that by the right hon. Gentleman it had been regarded as unnecessary, because that proved that the Bill had been brought in, not as an act of justice, not to do good to anybody, but to satisfy a section of the supporters of the Government who had demanded it.

VISCOUNT CASTLEREAGH thought they were entitled to a reply from the Government on the very pertinent cases which had been put forward. He had always understood that the House legislated to meet possibilities as well as probabilities. Yet though they had put forward what might be the case they had had no answer. He felt sure the Attorney-General would give them a reply as convincing on this as on previous questions. If the Amendment was not accepted they would be adding to the chances of litigation under the Bill. As far as he could understand, the principle involved, and admitted by the Chief Secretary, was that the tenant should receive compensation for improvements which he had carried out. He meant by that that the tenant should not be the loser for money expended on his holding. There was a possibility, however, that he might look upon his improvements as a speculation, and having invested a certain sum of money he might be able to claim a fraction over, or even double the amount he had expended. He sincerely hoped the Attorney-General would answer the questions put to him. He thought they were questions of great importance, certainly deserving a reply.

Question put.

The House divided:—Ayes, 42; Noes, 274. (Division List No. 424).

AYES.

Acland-Hood, Rt. Hn. Sir Alex. F.
Balcarres, Lord
Banbury, Sir Frederick George
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Cross, Alexander
Douglas, Rt. Hon. A. Akers-
Du Cros, Harvey
Duncan, Robert (Lanark, Govan
Fetherstonhaugh, Godfrey
Finch, Rt. Hon. George H.
Forster, Henry William
Haddock, George R.
Harrison-Broadley, Col. H. B.
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Houston, Robert Paterson
Kimber, Sir Henry
Lowe, Sir Francis William
Magnus, Sir Philip
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Rawlinson, John Frederick Peel
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Starkey, John R.
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell-(Lanark)
Thornton, Percy M.
Valentia, Viscount
Walrond, Hon. Lionel

TELLERS FOR THE AYES—Viscount Castlereagh and Mr. James Mason.

NOES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Ambrose, Robert
Armstrong, W. C. Heaton
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, John Emmott (Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Beaumont, Hn. W. C. B (Hexham
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'wr Hamlets, S. Geo.
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Bolton, T. D. (Derbyshire, N.E.
Boulton, A. C. F. (Ramsey)
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Chesh.
Bryce, Rt. Hn. James (Aberdeen
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clancy, John Joseph
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Cogan, Denis J.
Condon, Thomas Joseph
Corbett, C. H. (Sussex, E. Grinst'd
Cowan, W. H.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dickinson, W. H. (St. Pancras, N.
Dillon, John
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Field, William
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Hall, Frederick
Halpin, J.
Hammond, John
Hardie, J. Keir (Merthyr Tydvil)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hayden, John Patrick
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham
Henry, Charles S.
Herbert, Colonel Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert

Viscount Castlereagh.

Hogan, Michael
Hope, John Deans (Fife, West)
Hope, W. Bateman (Somerset, N.
Horniman, Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hutton, Alfred Eddison
Hyde, Clarendon
Idris, T. H. W.
Jenkins, J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kennedy, Vincent Paul
King, Alfred John (Knustford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Leese, Sir Joseph F. (Accrington
Lever, A. Levy (Essex, Harwich
Levy, Maurice
Lough, Thomas
Lundon, W.
Lynch, H. B.
Macdonald, J. M. (Falkirk B'ghs
Maclean, Donald
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.)
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Micking, Major G
Maddison, Frederick
Manfield, Harry (Northants)
Mason, A. E. W. (Coventry)
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Money, L. G. Chiozza
Mooney, J. J.
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Myer, Horatio
Nannetti, Joseph P.
Napier, T. B.
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, John (Kildare, N.)
O'Donnell, John (Mayo, S.)
O'Grady, J.
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Philipps, J. Wynford (Pembroke
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinburgh, Central
Priestley, W. E. B. (Bradford, E.
Radford, G. H.
Raphael, Herbert H.
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thos. (W. Monm'th)
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H (Lincoln
Roberts, G. H. (Norwich)
Robertson, Rt Hn E. (Dundee)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson S.
Rose, Charles Day
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A. H. (Ashton under Lyne
Seddon, J.
Shackleton, David James
Shaw, Rt. Hn. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowdon, P.
Stanger, H. Y
Stanley, Hn. A. Lyulph (Chesh.
Steadman, W. C
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe
Thomas, David Alfred (Merthyr
Thorne, William
Torrance, Sir A. M.
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Wardle, George J.
Wason, John Cathcart (Orkney)
Watt, H. Anderson
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Wiles, Thomas
Williams, J. (Glamorgan)
Wills, Arthur Walters
Wilson, John (Durham, Mid)
Wilson, J. H (Middlesbrough)
Wilson, W. T (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

Tellers for the Noes—Mr. Whiteley and Mr. Herbert Lewis

Mr. CHARLES CRAIG moved to add a proviso to the effect that no claim for compensation shall lie where the improvement is of less value than £20. He said the object of his Amendment was to prevent unnecessary and frivolous litigation. But for the retrospective application of the Bill he would have been willing to make the sum £10 instead of £20. When, however, they considered the enormous amount of litigation which retrospective legislation would inevitably bring about, he thought the House would agree with him that it was necessary to make some limit in this respect, and he hoped the Government would admit the justice of the principle. He thought quite sufficient friction would be brought about between landlord and tenant in the larger class of cases without bringing into Court the innumerable cases of what he might call twopenny-halfpenny improvements made during the last fifty years.

Sir FREDERICK BANBURY seconded the Amendment. He said it was patent to everybody in the House that they had to make the best of a bad bargain. He was afraid they would have to submit to the Bill, and therefore it was their duty to endeavour to make it as workable as possible. Unless a minimum were put into the Bill as was suggested by the Amendment, the landlord would be open to constant claims upon him for so-called improvements. Unfortunately there existed what were called pettifogging attorneys.

MR. DILLON: There are no such people in Ireland.

SIR FREDERICK BANBURY said there might be, but if there were none in Ireland there were some in England, and, as had been already shown, the principle of the Bill, if agreed to in the case of Ireland, must be extended to England, and therefore the first thing they had to do was to prevent any unjust and unnecessary litigation. It was absolutely essential that a minimum should be in the Bill to prevent actions being brought at the instigation of pettifogging solicitors who would be prepared to allow the question of costs to depend on the result of the action. He should have preferred a larger minimum than £20; but he hoped as the Amendment was so modest it would be accepted. For £20 one could not make any improvement likely to add to the letting value of the holding. What one could buy for £20 in bricks and mortar in England at any rate was very little, and he presumed it was not intended that the landlord should pay for decoration.

Amendment proposed to the Bill—

"In page 1, line 13, after the word 'landlord,' to insert the words, 'provided that no claim for compensation shall lie where the improvement is of a less value than twenty pounds.'"—(*Mr. Charles Craig.*)

Question proposed, "That those words be there inserted in the Bill."

MR. DILLON gave a concrete instance to illustrate the argument that a town tenant ought to be compensated for an improvement. Some time ago a friend of his erected a chimney on his house in place of a dilapidated one. He was shortly afterwards evicted, and not being allowed compensation for the chimney, as this Bill would give, being a man endowed with a strong sense of equity, he pulled down the chimney, and restored the house to the landlord in the condition in which it was originally. The result was that the man was brought before the Petty Sessions, but evidently the case was so strong that the magistrates dismissed it, and the man had the satisfaction of leaving the house in a ruinous condition. A more unjust and monstrous proposal could not be made than that a poor man who expended his money and labour in improving the house in which he lived should not be compensated for the improvements he left behind, while the rich man who laid out a large sum on improvements was to be compensated. The effect of the Amendment was to discriminate against the poor man and in favour of the rich man. There was not a shred of justification for this or any of the other Amendments which had been advocated for hours past. The Amendment was an example of the true spirit and character of the Opposition to the Bill. Anything for the sake of consuming time was good enough for some Opposition Members above the gangway, but he thought the opposition had reached the lowest point when it was proposed to secure to the man of capital a full measure of compensation while denying justice to the poor man who effected his improvements with his humble means, or even by the labour of his own hands.

*MR. JAMES CAMPBELL said that the illustration given by the hon. Member for East Mayo would be an ordinary repair which the tenant was bound to carry out under the usual obligations of his tenancy. The object of the Amendment was to prevent a tenant claiming as an improvement something which he had done under the ordinary obligations of his tenancy. The fact that some hon. Members were under the impression that by this Bill a man who simply repaired an injury to the premises caused by wind or severe weather was in a position to claim for that as an improvement which added to the letting value of the premises forcibly demonstrated the necessity for such an Amendment as was now proposed. Was the House going to let loose upon the whole town tenantry of Ireland a flood of litigation when quitting their holdings, for amounts varying from £2 to

£5 or £6 for expenditure incurred in the ordinary course of repairs? He denied that in Ireland they had any pettifogging attorneys, because the members of the Irish legal profession were a body of gentlemen animated by a desire to protect their clients, and they did it in a legitimate and proper way. Nevertheless, they were human beings, and they must live, and he asked the House not to expose them to the temptation of taking up small and speculative claims on behalf of small and improverished tenants. Perhaps the right hon. Gentleman thought £20 was too high a limit, but in the interests of the tenants themselves there ought to be some reasonable limit to prevent unnecessary and wasteful litigation. He would be willing to accept a limitation of £10. It would be absurd to put the machinery of the Bill into operation for sums less than £10, because claims for smaller amounts never resulted in any good to anybody except solicitors. He suggested that the Chief Secretary should accept an Amendment limiting the amount to £10, because while it would not do injustice to anybody, it would prevent people prosecuting claims which would be no use to them, and only waste the time of the public Courts in Ireland.

MR. BRYCE said his answer to the Amendment was very simple. An improvement was not the less an improvement because it was small. He did not see any reason why they should leave out of consideration a man who had made improvements to the extent of £20, which might mean a great deal to him. It was all very well for the hon. Baronet, who probably lived in marble halls, to support this limitation, but there were many small Irish tenants to whom £7 or £8 meant a great deal. He thought Irishmen would have sense enough to see whether the improvements they had made were such as would enable them to make out a strong case for compensation. He appealed to hon. Members not to occupy time with minor points, but to proceed to graver questions arising upon later clauses.

VISCOUNT CASTLEREAGH thought the Chief Secretary had passed over what was certainly an important Amendment in a very brief speech in which he had scarcely entered into any details. It was obvious that if the Amendment were accepted it would obviate a great deal of litigation. The only voice that had been heard against the Amendment from below the gangway was that of the hon. Member for East Mayo, who had given the experience of a friend of his who was obviously a law-breaker, and was trying to claim compensation which he knew when he took the holding he was not entitled to. He was probably an elector of the hon. Member. He (Viscount Castlereagh) hoped that the Government would accept the Amendment.

Question put.

The House divided:—Ayes, 59; Noes, 284. (Division List No. 425.)

AYES.

Acland-Hood, Rt.Hn.SirAlexF.
Arkwright, John Stanhope
Balcarres, Lord
Barrie, H.T. (Londonderry,N.)
Beach, Hn.MichaelHughHicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cavendish, Rt.Hn. VictorC.W.
Cecil, Evelyn (Aston Manor
Cecil, Lord John P. Joicey-
Coates, E. Feetham(Lewisham)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Douglas, Rt. Hon. A. Akers-
Du Cros, Harvey
Duncan, Robt. (Lanark, Govan
Faber, George Denison (York)
Fetherstonhaugh, Godfrey
Finch, Rt. Hon. George H.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hervey, F.W.F.(BuryS.Edm'd
Hill, Sir Clement (Shrewsbury)
Houston, Robert Paterson
Hunt, Rowland
Kimber, Sir Henry
Lane-Fox, G. R.
Lowe, Sir Francis William
Magnus, Sir Philip
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Morpeth, Viscount
Parker, SirGilbert (Gravesend)
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rasch, Sir Frederic Carne
Rawlinson, JohnFrederick Peel
Ropner, Colonel Sir Robert
Rothschild, Hon. Lionel Walter
Rutherford, W. W. (Liverpool)

Salter, Arthur Clavell
Starkey, John R.
Talbot, Lord E. (Chichester)
Talbot, Rt.Hn.J.G.(Oxf'dUniv

Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Valentia, Viscount
Walrond, Hon. Lionel

TELLERS FOR THE AYES—Mr. Charles Craig and Sir Frederick Banbury.

NOES.

Abraham, William (Cork N.E.)
Abraham, William (Rhondda)
Alden, Percy
Allen, Charles P. (Stroud)
Ambrose, Robert
Armitage, R.
Armstrong, W. C. Heaton
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A.(Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barry, E. (Cork, S.)
Beale, W. P.
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, SirJ.Williams(Devonp'rt
Benn, W.(T'w'rHamlets,S.Geo.
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, SirJ.H.(Essex,Rom'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Bolton, T.D. (Derbyshire,N.E.)
Boulton, A. C. F. (Ramsey)
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brunner, J.F.L. (Lancs., Leigh
Brunner, Rt.Hn.SirJ.T.(Chesh.
Bryce, Rt. Hn.James(Aberdeen
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hon. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clancy, John Joseph
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Coats, SirT.Glen(Renfrew, W.)
Cogan, Denis J.
Condon, Thomas Joseph
Cooper, G. J.
Corbett,C.H.(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.

Cowan, W. H.
Cox, Harold
Crean, Eugene
Cremer, William Randal
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dickinson, W.H.(St.Pancras,N.
Dillon, John
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Duncan, C.(Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Field, William
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Gwynn, Stephen Lucius
Hall, Frederick
Halpin, J.
Hammond, John
Hardie, J.Keir(MerthyrTydvil)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Helme, Norval Watson
Henderson, Arthur (Durham)
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Hope, John Deans (Fife, West)

Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jenkins, J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kennedy, Vincent Paul
Laidlaw, Robert
Lamb,Edmund G.(Leominster)
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Leese,Sir Joseph F.(Accrington
Lever, A.Levy(Essex,Harwich)
Levy, Maurice
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lynch, H. B.
Macdonald,J. M.(FalkirkB'ghs)
Maclean, Donald
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Killop, W.
M'Laren, Sir C. B.(Leicester)
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Mason, A. E. W. (Coventry)
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Money, L. G. Chiozza
Mooney, J. J.
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Myer, Horatio
Nannetti, Joseph P.
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow,W.)
O'Connor, John (Kildare, N.)

O'Donnell, John (Mayo, S.)
O'Donnell, T. (Kerry, W.)
O'Grady, J.
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, James (Roscommon, N)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, Sir W. D. (Colchester)
Philipps, Col. Ivor (S'thampton)
Philipps, J. Wynford (Pembroke
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinburgh, Central)
Priestley, W. E. B. (Bradford, E.
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W. Monm'th
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee)
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rose, Charles Day
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A. H. (Ashton under Lyne
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, David Alfred (Merthyr
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Ure, Alexander
Verney, F. W.
Vivian, Henry
Walker, H. de R. (Leicester)
Walsh, Stephen
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke-upon-Trent)
Wardle, George J.
Wason, John Cathcart (Orkney)
Watt, H. Anderson
Wedgwood, Josiah C.
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Wiles, Thomas
Williams, J. (Glamorgan)
Wills, Arthur Walters
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh., N.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. Herbert Lewis.

MR. RAWLINSON moved to insert words at the end of the clause to provide that the granting of a lease for ninety-nine years and upwards should be considered as compensation for all improvements made before the granting of such lease. He said that this was an Amendment of considerable importance. Where the intention was to grant a ninety-nine years lease, a building agreement was first entered into, and that agreement recited that in consideration of the builder erecting buildings of certain value on the property a lease for ninety-nine years should be granted. That was the way in which practically all building leases had been granted in England. Unless an Amendment of this kind were made—and any practical surveyor would say that it was necessary—there would be the greatest difficulty in inquiring into arrangements which were made many years ago. The Amendment simply said that where there had been a lease granted for ninety-nine years it was to be presumed that the consideration for the granting of the lease was the building of the property. The Amendment involved a mere matter of machinery, and he hoped the Government would accept it.

MR. HICKS BEACH seconded the Amendment

Amendment proposed to the Bill—

"In page 1, line 13, after the word 'landlord,' to insert the words, 'provided that the granting of a lease for ninety-nine years and upwards shall be considered as compensation for all improvements made before the granting of such lease.'"—(*Mr. Rawlinson.*)

Question proposed, "That those words be there inserted in the Bill."

MR. CLANCY hoped that the Government would not accept the Amendment. No doubt under certain circumstances a lease might be granted on conditions that might be regarded as ample consideration for the improvements, but the question depended on circumstances in each case. A lease for ninety-nine years at a very low rent might well be deemed a valuable consideration for the improvements made, but a lease for the same period at as high a rent as could be obtained would be no consideration at all. In one of the places in Ireland where the necessity had arisen for this Bill owing to rapacious conduct of the landlords, the practice, as he understood it, had been to double, treble, and quadruple the rents for leases, and actually to make a tenant pay on his own improvements. In that case the lease would be no consideration at all. The second sub-section of Clause 1 secured ample protection to the landlord. If this Amendment were carried the result would be that, no matter whether the rent was high or low, or whether or not it included the increased value added by the tenant, the mere granting of the lease would be held to be ample consideration.

*MR. BARRIE (Londonderry, N.) in supporting the Amendment said he did so with all the more confidence as hon. Members would credit him with having in Committee exhibited considerable sympathy with the principle of the Bill. He admitted that through the unwise action of certain landlords in recent years this question had been considerably advanced in Ireland. During the progress of the Bill through Committee he had repeatedly voted with the Government. Some landlords had abused their monopoly by refusing to grant the customary ninety-nine years leases. The leases they had granted were mostly for twenty-one or forty-four years, and in no case exceeding sixty-one years. The result would be that the tenant must keep the property in a good state of repair and hand it over without receiving any compensation. He was free to admit that this measure as originally introduced was one for which he could not have voted; but now that it was modified and when the expressed intention of the Government was to modify it further, he cherished the hope that it might leave the House in such a shape that it would do good rather than evil. A lease for ninety-nine years would cover the full lifetime of moderately well-built property, and he thought there would be no hardship on any tenant who had the exclusive right to the property for ninety-nine years being called upon to surrender his lease without any compensation. He therefore urged the Government to accept the Amendment.

*MR. BUCKMASTER (Cambridge) said he would be glad to get a little further information in regard to what the Government proposed to do with this Amendment. From what had been said on the other side of the House there seemed to be misapprehension as to its effect. He himself must not be taken to be in favour of building leases for ninety-nine years. These, he believed, had caused a great deal of mischief, and in many cases great hardship in the London suburbs; but the question now was whether, when a man had accepted that form of tenure, and thereby received consideration for work done, he or his successor should also be entitled to compensation at the end of the lease. If so, he would be paid twice over for the same work- An hon. Member below the gangway said that the Amendment would impose hardship on the tenant because the landlord would double or even quadruple the rent.

MR. CLANCY said that what he had stated was that at Kingstown when new leases were granted the rent stipulated for was six times greater than before.

*MR. BUCKMASTER said that that did not meet the case provided for by the Amendment. The hon. Member would see that the rent was not increased during the continuance of the term. He must say that the Amendment did not seem to him unreasonable. He was quite satisfied that everyone would admit that any improvement made before the existence of a lease was fully compensated for by the lease being granted for ninety-nine years.

MR. DILLON said that the hon. Member did not seem to perceive the effect of the Amendment. If during the currency of a lease, or other tenancy, a man executed improvements on the house or building, the landlord at the expiry of the lease or tenancy, would come to him, if this Amendment were passed, and said: "Here is a lease for ninety-nine years," and reserve a rack rent on the improvements. There was not a word in the Amendment as to the terms of the lease, and therefore it would be competent if it were passed for the landlord to come to an improving tenant either on an expiring lease or on a tenancy from year to year and say, "Here is a lease for ninety-nine years"—with regard to a new tenancy, fix a rack rent based on the tenant's improvements, and thus reserve a rent calculated on the tenant's own improvements, and wipe out all the effect of this Act, That was the effect of the Amendment, and he thought the hon. Member would see the grotesque injustice of it. The case the hon. Member alluded to was an entirely different one. It was that in which a man made a bargain and speculated in the rise and fall of land, and undertook to build a house provided he got a ninety-nine years lease of the land. That was covered under sub-section (2), Section 1, and undoubtedly under that sub-section that would be held to be, as they understood it, an implied valuable consideration for an improvement. But this Amendment was another attempt — the seventh or eighth — by a flank movement to destroy and wipe away the Bill and place it in the power of the landlord, by proferring a lease for ninety-nine years, to do away with all claim for compensation for improvements.

SIR E. CARSON said the hon. Member for East Mayo was in some respects accurate in the view he put forward in regard to the Amendment and in some respects inaccurate. He seemed to think that by the mere offer made by the landlord the tenant could be deprived of compensation. In that the hon. Member was absolutely wrong, because they were only dealing with the case in which a lease for ninety-nine years had been granted — had been offered to and accepted fairly and squarely between the parties without any fraud. He did not suppose anyone could dispute that if a man had undertaken to erect a building, when he had that building erected, and got a ninety-nine years lease, that man was not perfectly competent to conduct the whole transaction. In consideration of his building a house and making a security for the landlord's rent, he had got the exact bargain that he wanted. He built the house and got undisturbed possession of it for ninety-nine years. Did anybody suppose that in such a case as that the House of Commons ought to indicate that, in addition to giving him a ninety-nine years lease, at the end of the ninety-nine years the landlord was to pay the man for the house which he had built in consideration of his getting a lease of the land? The mere statement of such a case showed the injustice of the Bill, unless they put in some such limiting words as those proposed. That was one case, but the hon. Member supposed that another set of circumstances might arise, and here again the Bill did not discriminate in any way between those circumstances. He thought the case which the hon. Member for East Mayo had in his mind was the case where a tenant, under an existing lease or tenancy, built a house, and that lease expiring, the landlord granted him a new lease of the same house. But that was not the case of a house being built in consideration of the lease being given. It was a house built under an old contract of tenancy, but prior to the time when the ninety-nine years lease was granted. He did not care what his successors had to pay in ninety-nine years for any house in which he was interested. He did not know whether in ninety-nine years, at the rate at which they were going, there would be any right in those premises, whether they would be even allowed to have successors, let alone to have property to give to these successors; but it was important to see, as desired by the hon. Member for Cambridge, that in the case of a building lease, compensation was not paid twice over. He would leave his successors of ninety-nine years hence to look after themselves.

*MR. CHERRY said there appeared to be some mistake with regard to the meaning of this Amendment. If the scope of the Amendment were confined to the case of a lease for ninety-nine years made in consideration of the building of a house, either in pursuance of a contract made a year or two before, or actually when the lease was granted, he did not think the hon. and learned Gentleman need trouble much about it, because the case would be met by an Amendment to Clause 2, of which he had given notice, to the effect that "a tenant shall not be entitled to any compensation in respect of any improvement made, whether before or after the passing of this Act, in pursuance of a contract entered into for valuable consideration." In the case of a lease being expressly made in consideration of the house having been improved recently, the lease itself was compensation for the tenant's improvements, and he could not get any further compensation.

SIR E. CARSON said they had to deal with retrospective tenants, and unless it was expressed in the lease it would not count.

*MR. CHERRY said if it were expressed in the lease it was clear, but if not it was necessary for the landlord to show that the lease was given in consideration of the improvement, in which case he would succeed.

MR. WILLIAM RUTHERFORD (Liverpool, West Derby) said the Attorney-General for Ireland had committed a mistake of a most astonishing character, because although it was true that the putting up of a house might be the consideration for a lease, it did not at all follow that the lease was a consideration for the putting up of a house. It seemed to him that the Amendment the right hon. and learned Gentleman was going to move at a later stage failed to meet the point, because he had put the cart before the horse in the method of expressing the transaction.

*SIR FRANCIS LOWE thought the Amendment of the right hon. and learned Gentleman would not at all meet the point that had been raised. A landlord who had granted a lease on condition that a certain sum (say £500) should be expended in building a house on the land which was leased would be called upon to pay to the lessee at the expiration of the lease any additional sum (say another £500) which the lessee might see fit to expend during the continuance of the lease in improving or adding to the house originally built on the land.

MR. GLENDINNING (Antrim, N.) thought this Amendment would do a great injustice to a great number of people in Ireland, and he sincerely hoped the Government would adhere to the original clause. He knew of cases in Belfast where good houses were derelict because of the rent that was demanded of the tenants who had occupied them until their leases expired. He himself was at a house on which the lease expired. The original rent was £31, and the ground landlord demanded £175, after improvements costing £1,500 had been made. He was quite ready to give £80, but the landlord refused, although ultimately he had to let it for £50.

MR. JAMES CAMPBELL said the Amendment of the right hon. and learned Gentleman would meet the difficulty raised by the hon. and learned Member for Cambridge, but it would not cover the whole ground. It was quite true that the Amendment would cover the case of a man who, in consideration of a promised lease for ninety-nine years, built a house. There was, however, a case for which this Amendment was required. If a man expended a certain sum on a property and his lease expired, he could not have a new lease forced upon him, but he could refuse to take the lease and threaten to take the landlord into court and make him pay compensation not only for improvements, but also for being disturbed under Clause 5. The tenant, therefore, was in the position at the expiration of a lease of being able to say that if the landlord did not grant him a new lease on favourable and reasonable terms he would take him into court and obtain value for his improvements and compensation for disturbance. But if the tenant took a new lease for ninety-nine years, why should his successor at the end of that time be allowed to go back on the state of affairs existing before the new lease was granted? It would be grossly unjust and manifestly unfair. That case was not covered by the next Amendment. He thought the case mentioned by the hon. and learned Member for Cambridge was covered by the Amendment of his right hon. friend, but he did not think that that Amendment covered the entire ground, and it would be possible, notwithstanding that Amendment, for a tenant, at the expiration of a new lease for ninety-nine years, to go before the Court and say, "Nothing was said about abandoning my claims in the old case, and I am now entitled to go back to the relations which existed ninety-nine years ago, and demand compensation for the buildings which then existed." He could not for the life of him see what harm could be done by accepting the Amendment.

MR. BRYCE said the right hon. Gentleman seemed to be greatly concerned about something which could not happen before the year 2005. The right hon. and learned Gentleman's colleague said he was careless about what his successors in title would have to pay in ninety-nine years' time, and he thought they need not trouble themselves about anything which would not arise before that date. There would probably be many amending Acts upon this subject before that year was reached.

*SIR HENRY KIMBER (Wandsworth) said he thought they would do well to accept the Amendment proposed by the Attorney-General for Ireland, for it covered a point which was not covered by the Amendment now before the House. He had had hundreds of these building leases pass through his hands, and the preliminary agreement usually stated that in consideration of the building of the house by the lessee the lessor would grant a lease at a fixed rent for ninety-nine years, and it was generally a low rent. But the lease was usually granted as soon as the roof was on the house, and before completion, and the house was not finished until after the date of the lease. The terms of the Amendment proposed by his hon. and learned friend excluded from compensation any improvement which the lessee had done before the date of the lease, and therefore the Amendment would require the words "before the granting of such lease, or in consideration of the granting of such lease." That was a point which the Attorney-General's Amendment covered, and it would come in at a better place in Clause 2. Might they take it the Attorney-General would insert his Amendment?

MR. CHERRY: Certainly.

MR. RAWLINSON, on that undertaking, asked leave to withdraw his Amendment. If he had noticed the Amendment of the Attorney-General he would not have moved his own Amendment. He was quite satisfied it had the same effect as his own Amendment.

Amendment, by leave, withdrawn.

MR. BRYCE claimed to move, "That the Question 'That the words of the Bill to the word "tenancy" inclusive, in page 2, line 2, stand part of the Bill,' be now put."

Question put, "That the Question 'That the words of the Bill to the word "tenancy," inclusive, in page 2, line 2, stand part of the Bill,' be now put."

The House divided:—Ayes, 312; Noes, 67. (Division List No. 426.)

AYES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Alden, Percy
Allen, A.Acland (Christchurch)
Allen, Charles P. (Stroud)
Ambrose, Robert
Armitage, R.
Armstrong, W. C. Heaton
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, JosephA.(Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beale, W. P.
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, SirJ.Williams(Devonp'rt
Benn, W.(T'wrHamlets,S.Geo.
Bennett, E. H.
Berridge, T. H. D.
Bertram, Julius
Billson, Alfred
Boland, John
Bolton, T.D.(Derbyshire, N.E.)
Boulton, A. C. F. (Ramsey)
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brodie, H. C.
Brunner, J.F.L.(Lancs.,Leigh)
Brunner, Rt.Hn.SirJ.T.(Chesh.
Bryce, Rt.Hn.James(Aberdeen
Bryce, J. A. (InvernessBurghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt.Hn. Sydney Chas
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Chance, Frederick William
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clancy, John Joseph
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Coats, Sir T.Glen(Renfrew, W.
Cobbold, Felix Thornley
Cogan, Denis J.
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C.H.(Sussex,E.Grinstd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, John A. (Inverness-sh.)
Dickinson, W.H.(St.Pancras,N.
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Duncan, C. (Barrow-in-Furness
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Eve, Harry Trelawney
Everett, R. Lacey
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Field, William
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone, Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Haldane, Rt.Hon. Richard B.
Hall, Frederick
Halpin, J.
Hammond, John
Hardie, J.Keir(MerthyrTydvil)

Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, James (Derbyshire)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Helme, Norval Watson
Henderson, Arthur (Durham)
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Hope, John Deans(Fife, West)
Hope, W.Bateman(Somerset,N
Horniman, Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Isaacs, Rufus Daniel
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G.(Leominster
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lever, A. Levy (Essex,Harwich
Levy, Maurice
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Macdonald, J. M.(FalkirkB'ghs
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Charles(Donegal,E.
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Kenna, Reginald
M'Killop, W.
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Marks, G.Croydon(Launceston)
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Money, L. G. Chiozza
Mooney, J. J.
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Myer, Horatio
Nannetti, Joseph P.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Chas. N. (Doncaster
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien,Kendal(Tipperary,Mid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W
O'Connor, John (Kildare, N.)
O'Donnell, John (Mayo, S.)
O'Donnell, T. (Kerry, W.)
O'Grady, J.
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, James(Roscommon,N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Pearson, Sir W.D. (Colchester)
Philipps, Col.Ivor(S'thampton)
Philipps, J.Wynford(Pembroke
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinburgh,Central
Priestley, W.E.B.(Bradford, E.
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Althelstan
Richards, Thos. (W. Monm'th)
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rose, Charles Day
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A.H.(Ashton under Lyne
Seaverns, J.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.)
Snowden, P.
Stanger, H. Y.
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A.(Glamorgan, E.)
Thomas, DavidAlfred(Merthyr
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Ure, Alexander
Verney, F. W.
Villiers, Ernest Amherst
Vivian, Henry
Walker, H. De R. (Leicester)
Walsh, Stephen
Walton, Sir John L. (Leeds, S.)
Ward, John (Stoke upon Trent
Ward, W.Dudley(Southampton
Wardle, George J.
Wason, JohnCathcart(Orkney)
Watt, H. Anderson
Wedgwood, Josiah C.
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williamson, A.
Wills, Arthur Walters
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh. N.
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. (M'Kinnon)
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. Herbert Lewis.

NOES.

Anson, Sir William Reynell
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn. SirH
Balcarres, Lord
Balfour,Rt.HnA.J.(CityL'nd'n
Banbury, Sir Frederick George
Barrie, H. T. (Londonderry, N.
Beach, Hn. MichaelHugh Hicks

Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cavendish, Rt. Hon. VictorC.W
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Coates, E. Feetham (Lewisham
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Douglas, Rt. Hon, A. Akers-
Duncan,Robert(Lanark,Govan
Faber, George Denison (York)
Fetherstonhaugh, Godfrey
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hervey,F.W.F.(Bury S.Edm'ds
Hill, Sir Clement (Shrewsbury
Hills, J. W.
Houston, Robert Paterson
Hunt, Rowland
Lane-Fox, G. R.
Long, Rt. Hn.Walter(Dublin,S
Lowe, Sir Francis William
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Morpeth, Viscount
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rawlinson, JohnFrederickPeel
Remnant, James Farquharson)
Ropner, Colonel Sir Robert
Rothschild, Hon.Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Smith, F.E.(Liverpool,Walton)
Starkey, John R.
Talbot, Lord E. (Chichester)
Talbot, Rt.Hn.J.G.(Oxf'dUniv
Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Walrond, Hon. Lionel
Younger, George

Tellers for the Noes—Sir Alexander Acland-Hood and Viscount Valentia.

Question put accordingly, "That the words of the Bill to the word 'tenancy' in page 2, line 2, stand part of the Bill."

Mr. WILLIAM RUTHERFORD, speaking seated and with his hat on, called attention to a point of order. He said sub-section (2) of Standing Order 26 limited the closure to the clause under consideration at the time the closure was moved. This Motion was that they should jump from the middle of Clause 1 to the middle of Clause 2. The words of the Standing Order were—

> "When the Motion that 'the Question be now put,' has been carried, and the question consequent thereon has been decided, any further Motion may be made (the assent of the Chair, as aforesaid, not having been withheld) which may be requisite to bring to a decision any question already proposed from the Chair; and also if a clause be then under consideration, a Motion may be made (the assent of the Chair, as aforesaid, not having been withheld) that the question, that certain words of the clause defined in the Motion stand part of the clause, or that the clause stand part of, or be added to, the Bill, be now put. Such Motions shall be put forthwith, and decided without Amendment or debate."

That did not enable a Motion to be moved to go from the middle of one clause right over into the middle of the next clause.

*Mr. SPEAKER: I think the Motion has been frequently accepted, and if I were to search I think I could find precedents for it.

The House divided:—Ayes, 316; Noes, 66. (Division List No. 427.)

AYES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Alden, Percy
Allen, A. Acland(Christchurch)
Allen, Charles P. (Stroud)
Ambrose, Robert
Armitage, R.
Armstrong, W. C. Heaton
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, JosephA. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beale, W. P.
Beaumont,Hn.W.C.B.(Hexh'm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, SirJ.Williams(Devonp'rt
Benn, W.(T'w'rHamlets,S.Geo.
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Billson, Alfred
Boland, John
Bolton, T. D.(Derbyshire,N.E.)
Boulton, A. C. F. Ramsey)
Brace, William
Bramsdon, T. A
Branch, James

Brigg, John
Bright, J. A.
Brodie, H. C.
Brunner, J.F.L.(Lancs., Leigh)
Brunner, Rt.Hn.SirJ.T.(Chesh.
Bryce,Rt.Hn. James(Aberdeen
Bryce, J. A. (InvernessBurghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Chance, Frederick William
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clancy, John Joseph
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Coats, SirT.Glen(Renfrew, W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Condon, Thomas Joseph
Cooper, G. J.
Corbett,CH.(Suessx,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol,S.)
Delany, William
Dewar, John A. (Inverness-sh.)
Dickinson,W.H.(St.Pancras,N.
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Duncan,C. (Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Field, William
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher

Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
GladstoneRt.Hn.Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Halpin, J.
Hammond, John
Hardie, J. Keir(MerthyrTydvil
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Helme, Norval Watson
Henderson, Arthur (Durham)
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Bigham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Hope, John Deans (Fife, West)
Hope,W.Bateman(Somerset,N.
Horniman Emslie John
Horridge, Thomas Gardner
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Isaacs, Rufus Daniel
Jardine, Sir J.
Johnson, John (Gateshead)
Jones, Leif (Appleby)
Jones, William(Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G.(Leominster
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lever, A. Levy (Essex,Harwich
Levy, Maurice
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(Falkirk B'ghs
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah(Down, S.)
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.

M'Kean, John
M'Kenna, Reginald
M'Killop, W.
M'Micking, Major G.
Maddison, Frederick
Manfield, Harry (Northants)
Marks, G. Croydon(Launceston
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Money, L. G. Chiozza
Mooney, J. J.
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Myer, Horatio
Nannetti, Joseph P.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow, W.
O'Connor, John (Kildare, N.)
O'Donnell, John (Mayo, S.)
O'Donnell, T. (Kerry, W.)
O'Grady, J.
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly,James(Roscommon,N.
O'Malley, William
O'Mara, James
O'Neill, Hon. Robert Torrens
O'Shaughnessy, P. J.
O'Shee, James John
Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Pearson, Sir W. D. (Colchester)
Philipps, Col.Ivor(S'thampton)
Philipps, J.Wynford(Pembroke
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Priestley, W.E.B.(Bradford, E.
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thomas (W.Monm'th
Richards, T. F.(Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rose, Charles Day

Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A.H.(Ashton under Lyne
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim,S.)
Snowden, P.
Stanger, H. Y.
Stanley, Hn. A.Lyulph(Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Sutherland, J. E.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan,E.)
Thomas,David Alfred(Merthyr
Tomkinson James
Torrance, Sir A. M
Toulmin, George
Ure, Alexander
Verney F. W.
Villiers, Ernest Amherst
Vivian Henry
Walker, H De R (Leicester)
Walsh, Stephen
Walton, Sir John L. (Leeds, S.)
Ward, John (Stoke upon Trent
Ward, W. Dudley(Southampton
Wardle, George J.
Wason, JohnCathcart(Orkney)
Watt, H. Anderson
Wedgwood, Josiah C.
White, George (Norfolk)
White, J D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williamson, A.
Wills, Arthur Walters
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W (Worcestersh. N.)
Wilson, W T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE AYES—Mr. Whiteley and Mr Herbert Lewis.

NOES.

Anson, Sir Wiliam Reynell
Arkwright, John Stanhope
Ashley W. W.
Aubrey-Fletcher, Rt. Hn. SirH.
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Beach, Hn.Michael HughHicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cavendish, Rt. Hn.Victor C.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Coates, E. Feetham(Lewisham)
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Douglas, Rt. Hon. A. Akers-
Duncan, Robert(Lanark-Govan
Faber, George Denison (York)
Fetherstonhaugh, Godfrey
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hervey, F.W.F.(BuryS.Edmd's
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Houston, Robert Paterson
Hunt, Rowland
Lane-Fox, G. R.
Long,Rt.Hn.Walter(Dublin,S.)
Lowe, Sir Francis William
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Morpeth, Viscount
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rawlinson, JohnFrederickPeel
Remnant, James Farquharson
Ropner, Colonel Sir Robert
Rothschild, Hon. Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Smith,F. E. (Liverpool,Walton)
Starkey, John R.
Talbot, Lord E. (Chichester)
Talbot, Rt.Hn.J.G.(Oxf'dUniv
Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Walrond, Hon. Lionel
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

And, it being after Eleven of the clock, Further Consideration of the Bill, as amended (by the Standing Committee), stood adjourned.

Bill, as amended, to be further considered To-morrow.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at five minutes after Eleven o'clock.

HOUSE OF LORDS

Wednesday, 21st November, 1906.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petition against; of inhabitants of Cowden; read, and ordered to lie on the Table.

NEW HEBRIDES CONVENTION.

*THE EARL OF JERSEY: My Lords, I rise to ask the Secretary of State for the Colonies whether he proposes to lay on the Table of the House any Papers in connection with the New Hebrides Convention.

*THE SECRETARY OF STATE FOR THE COLONIES (The Earl of ELGIN): Yes, my Lords, the Papers will be laid, but in accordance with practice they cannot be laid until they have all been received by the Governments to whom they have been addressed. That will take some time. and as soon as they have been received by the Governments of Australia and New Zealand I shall lay them on the Table.

CHINESE IN THE TRANSVAAL—MR. BUCKNILL'S INQUIRY.

LORD HARRIS: My Lords, I beg to ask His Majesty's Government whether the evidence taken by Mr. Bucknill in his inquiry as to vice in Chinese compounds was upon oath or not.

*THE EARL OF ELGIN: So far as I can tell from the Papers, the evidence taken before this Commission, as is customary with respect to the evidence taken before Royal Commissions and Committees in this country, was not taken on oath. I believe there is a power to the Transvaal Government under the Ordinance to issue orders to a public inquiry for the evidence to be taken on oath; but in this case, the inquiry being confidential, I have no doubt that that was not done.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

EDUCATION (ENGLAND AND WALES) BILL.

House again in Committee (according to Order.

[The Earl of ONSLOW in the Chair.]

Clause 17:—

LORD BARNARD (on behalf of the Earl of HARROWBY) moved an Amendment to insert at the end of the clause this provision, "Notwithstanding anything contained in Section 69 of the Local Government Act, 1888, a county council may borrow by way of mortgage for the purposes of the Education Act for the whole or part of any period authorised by the Local Government Board." He explained that Section 69 of the Local Government Act, 1888, precluded county councils which had borrowed money by raising stock from also obtaining money by way of loan. He had attempted to ascertain from county council officials and others experienced in these matters what the reason of that provision was, but had not so far been able to obtain any information. He had, however, found out that it was in practice extremely inconvenient that a county council should be precluded by that provision from raising money on the cheapest terms on which it could be had at the particular moment. He did not know that a large number of county councils had raised money on stock, but the county council of Stafford, which his noble friend Lord Harrowby represented, had done so, with the result that it was impossible for them to borrow money upon mortgage for a period of more than five years. This Bill proposed that the period of repayment might be extended to sixty years, and the county council authority of Stafford had pointed out that if it should happen to be more convenient and suitable for them to raise money by way of loan instead of stock, they would be put to the expense and trouble of renewing the loan every five years, which he could hardly think was intended. He did not think there would be any serious opposition to the proposal contained in the Amendment. In evidence of that he referred to the fact that a Bill had been promoted by the County Council of Middlesex and passed by Parliament this year, Section 46 of which provided that in its application to the council sub-section (9), of

Section 69 of the Local Government Act, 1888, should be read and construed as if the period of thirty years had been referred to instead of five years. That extended the period for which money could be borrowed in that case from five years to thirty years, and he was informed by the Middlesex County Council that there was no opposition on the part of the Local Government Board to that extension.

Amendment moved—

"In page 16, line 30, after the word 'fix' to insert the words 'notwithstanding anything contained in section 69 of the Local Government Act, 1888, a county council may borrow by way of mortgage for the purposes of the Education Act for the whole or part of any period authorised by the Local Government Board.'"—(*Lord Barnard.*)

THE LORD PRESIDENT OF THE COUNCIL (The Earl of CREWE): My Lords, when I saw my noble friend rise I confess I felt a momentary tremor that there might be some point connected with charitable trusts which we had forgotten but which had not escaped him, and I was relieved to find that the matter was only one of finance, with which I must say the noble Lord seemed to deal with equal mastery. What is desired by the Amendment is to get rid of the provision of Section 69 of the Local Government Act, 1888, which forbids county councils who have borrowed by means of stock from raising money by way of mortgage except for a period not exceeding five years. That provision was inserted in the Act of 1888, with a view to stimulating borrowing by the issue of stock, because it was considered that that was, on the whole, the best way that these borrowings could be carried out; but there is no doubt that the existence of the provision has created considerable difficulty in a good many cases. As your Lordships are well aware, it often happens that the money market is unfavourable to the issue of stock, and, speaking generally, there does not seem to be any good reason whatever for limiting the powers of borrowing by mortgage in the manner in which they are limited in the Act. Therefore neither the Local Government Board nor myself have any opposition to raise to the repeal of that section. But there is this objection, that it is not a satisfactory way to legislate to repeal a portion of one Act by a portion of another Act. Therefore we think it might be wiser to let the matter stand over for the present until some alteration can be made in the general law and the section repealed altogether. In that case, perhaps the noble Lord will not press his Amendment.

LORD BARNARD said he was quite willing, in the circumstances, to withdraw the Amendment.

Amendment, by leave, withdrawn.

Clause 17 agreed to.

Clause 18:—

*LORD AVEBURY moved an Amendment to the provision that the limit on the amount which might be raised by the county council for the purposes of education other than elementary under Section 2 of the Education Act of 1902 should cease to operate. He proposed to add these words—"but before any increase is made to the existing rate, or any loan is raised for the purposes of education other than elementary in any county borough, borough, or district, it shall be ascertained by a poll of the ratepayers within the said county borough, borough, or district that a majority of such ratepayers are in favour of the increase or loan." He commended this Amendment to their Lordships on two grounds—firstly, that of economy; and, secondly, that of educational efficiency. It was evident that if the clause passed in its present form it would in many places add greatly to the rates. By degrees, and with the exception of the great old establishments such as Eton and Harrow, the whole secondary education of the country would pass into the hands of the municipal voters. He said municipal voters, and not ratepayers, because, unfortunately, the two things were not by any means synonymous; the largest ratepayers, as a rule, had no votes, and a large number of voters paid no rates. As long as the limit of 2d. was maintained the establishment of rate-supported secondary schools was confined to large centres. They, and they alone, could support excellent secondary schools without exceeding the limit of 2d. Perhaps he would be asked, why should such schools be limited to populous areas? The reason was that while every child, with comparatively few exceptions, should go to a primary school, much fewer passed on to the higher schools, and, moreover, being older they could go further distances to the school. Again, young children required similar subjects, which constituted the ground work of education; but as they grew older a greater differentiation of subjects was required. This clause as it stood was a direct invitation to every rating area to establish its own secondary school. In small places that would require a considerable rate. Moreover, under the clause there would be a multiplicity of second-rate secondary schools. A temporary, and, perhaps, small majority might incur an expenditure which would burden the rates for many years. He could not say that the clause seemed wise even with the addition, which, however, would do something to mitigate the expenditure and promote, if it could not secure, prudence and economy. He commended the addition in the second place on the ground of educational efficiency. The Secondary Education Commission of 1894, in their able and unanimous Report, stated that in their opinion—

> "Education is a thing too intimately concerned with individual preference and private life for it to be desirable to throw the whole of it under Government control. It needs organisation, but it would be destroyed by uniformity; it is stimulated by inspection, but it could be crushed by a Code. Every good teacher is a discoverer, and, in order to make discoveries, he must have liberty of experiment."

At present there were at least 10,000 private secondary schools. As the Commissioners pointed out—

> "There is a large amount of capital invested in them, and the livelihood of many thousand persons depends upon them."

To sweep these away, without compensation, by a general system of rate-supported education would be a great hardship. Such a course could only be justified, if at all, on grounds of necessity. It would, however, not only be an injustice, but a grave national misfortune. The Commissioners expressed their conviction that the control of the whole of secondary education by Government was incompatible with—

> "the freedom, variety, and elasticity which are and have been the merits which go far to redeem the defects in English education and which must at all hazards be preserved."

The work they assigned to the local authority was the work not of superseding, but of focussing voluntary effort. In most districts they thought that the present supply of private proprietary and endowed schools would be sufficient, and advised that the local authority should only start new schools "in the last resort" and "to supply distinct deficiencies." They pointed to the State systems of France and Germany as lamentable instances of the evils inseparable from State control, and advised in the most emphatic way that in England the State should—

> "modestly supplement but avoid superseding private enterprise."

John Stuart Mill, in the essay on Liberty, said—

> "That the whole or any large part of the education of the people should be in State hands, I go as far as anyone in deprecating. All that has been said of the importance of individuality of character and diversity in opinions and modes of conduct involves, as of the most unspeakable importance, diversity of education. A general State education is a mere contrivance for moulding people to be exactly like one another; in proportion as it is efficient and successful, it establishes a despotism over the mind, leading by natural tendency to one over the body. An education established and controlled by the State should only exist, if it exists at all, as one among many competing experiments, carried on for the purpose of example and stimulus, to keep the others up to a certain standard of excellence."

In this Mill expressed the views of our greatest educational authorities. Huxley said that—

> "as to intermediate education, I have never favoured the notion of State intervention in this direction."

Edward Thring protested against having—

> "the dead hand of outside power thrust into the heart strings of a living work."

Dr. Westcott, the late Bishop of Durham, said that—

> "any regulations which impair the freedom and individuality of the teacher will just so far prove to be destructive of that force which has hitherto been most effective in forming English character."

What they said of State schools applied with equal, or almost equal, force to those under municipalities. In fact, the Commissioners stated that there was—

> "an almost universal agreement among our witnesses that it would be a misfortune if good private and proprietary schools were to cease to exist, that they are doing much good work, that they fill a place which cannot be altogether

taken by public schools, and that they ought therefore to be reckoned as part of the educational supply of the country. . . . So far from desiring to displace, or even to weaken, such schools as these, we trust that some of the measures we recommend may tend to stimulate and improve them."

They pointed out that educational progress had come mainly from private teachers, and the very features which "must at all hazards be preserved," they declared to be "the distinctive advantage of the private school." He submitted, then, to their Lordships that these municipal secondary schools should only be formed after careful consideration and with the full consent of the municipal voter; and in order to secure this he begged to move the Amendment which stood in his name.

Amendment moved—

"In page 16, line 34, after the word 'operate' to insert the words 'but before any increase is made to the existing rate, or any loan is raised for the purposes of education other than elementary in any county borough, borough, or district, it shall be ascertained by a poll of the ratepayers within the said county borough, borough or district that a majority of such ratepayers are in favour of the increase or loan.'"—(*Lord Avebury.*)

THE EARL OF CREWE: My Lords, the effect of the noble Lord's Amendment, of course, is to make any provision for higher education in excess of the 2d. limit the subject of a poll of the ratepayers within a county, county borough, borough, or district. I do not quite understand why the noble Lord includes a county borough, because it was not thought necessary in the Act of 1902 to include county boroughs, which are able, as a matter of fact, to exceed the limit of 2d. A precisely similar proposition was made in the course of the debates in another place. It was introduced by a Liberal Member, but in a full House it only received the support of ninety. I think that shows that a great many of those who are in the habit of opposing His Majesty's Government there were not prepared to dispute the policy of this Clause 18. A referendum of this kind, of course, is not by any means unknown. There are cases, such as those under the Free Libraries Acts and the Borough Funds Acts, where before expenditure can be incurred it is necessary to take a poll of the ratepayers; but in all those cases the issue which is presented to the ratepayers is a perfectly clear and simple one. When it comes simply to saying, "Before any increase is made to the existing rate or any loan is raised for the purpose of education other than elementary," it appears to me that it would be exceedingly difficult to put anything like a direct issue before the ratepayers on which they would be able to form a distinct opinion of any value. But we go on the ground that, after all, the county councils are responsible for expenditure of this kind to their constituents, and if they exceed in that expenditure a reasonable limit it is by their constituents that they must be brought to book. They are elected, after all, for a short term, and they presumably and necessarily have to bear in mind the effect at the next election of anything like extravagant expenditure. It was only yesterday, on the question of delegation, that the noble Lord opposite, Lord Belper, urged that the council should have a free hand in this matter. We are certainly disposed to give them a free hand, knowing, as we do, that their circumstances vary very greatly indeed. We are not disposed, therefore, to accept this proposition. I am able to pray in aid, as the phrase is, the noble Marquess opposite, Lord Londonderry. In the course of the discussion in this House on the Act of 1902 a proposition was made by Lord Wemyss for an Amendment to the effect that no important steps should be taken for the promotion of higher education without the ratepayers being directly consulted, and on that occasion the noble Marquess said that any judgment of the ratepayers would necessarily be inferior to that which the council and their finance committee could make. The noble Marquess added—

"The financial interests of the ratepayers are surely sufficiently safe in the hands of their elected representatives."

That is the attitude which we adopt on this occasion, and which prevents us from accepting the Amendment. It is not necessary, I think, to dwell at all upon the importance of secondary education in the counties, because I am sure the noble Lord is quite as well aware of that as we are, and attaches quite as much importance to it. What we want to see, of course, is that there shall be this series of links which shall enable the boy or girl who is competent to do so to pass from the elementary school right up to the University, as we know takes place so often in Scotland, and also to some extent in Wales, and the extension of which we should be very glad to see in this country.

THE MARQUESS OF LONDONDERRY was certain that the easing of the present excessive burden on the ratepayers was an object which would commend itself to their Lordships, but the Amendment appeared to him to be of too far-reaching a character. He did not know how it would be possible to take a poll with regard to a question of this kind, or how it could be considered to be of any practical use.

* THE UNDER-SECRETARY OF STATE FOR FOREIGN AFFAIRS (Lord FITZMAURICE) was glad the noble Marquess had brought the full weight of his authority to bear against the proposition, however desirable the object might be. The machinery proposed was quite impracticable. How, he ventured to ask, could anybody seriously suggest that it would be possible in a large county to obtain the real opinion of the scattered inhabitants in regard to some particular loan by means of a poll?

LORD BELPER asked whether it was not the fact that his noble friend Lord Avebury had deleted the word "county"?

* LORD AVEBURY said that his Amendment only referred to a county borough, borough, or district.

* LORD FITZMAURICE said that made but little difference. The tendency of opinion among persons experienced in local affairs was against special polls of this kind of the ratepayers, because of the difficulty of ascertaining the real matured opinion of the district by reason of the small number of people who came forward to vote even in towns. The more such appeals were multiplied the more the difficulty of local administration was accentuated. There were already too many cases where provisions suitable possibly to urban administration had been transported by law into the rural districts, and were an absolute farce. He protested against multiplying them. Why was he five times a year to be directed to sign a notice to be affixed to a door in the county town, giving notice of the council meeting, on the assumption that it would be read by the dwellers on Salisbury Plain, and the ratepayers in the Thames Valley? That was an instance of what he meant.

* LORD STANLEY OF ALDERLEY said he could not even give that general benediction to the purpose of the Amendment which noble Lords had given while censuring it in detail. It seemed to him that the Amendment would hopelessly confuse the daily administration of affairs in the counties. The noble Lord who moved the Amendment seemed to have a terror of the extinction of private schools. He (Lord Stanley) would remind the Committee that at this moment the 2d. rate, which was the maximum in districts other than county boroughs or in London, was largely absorbed by what was practically compulsory elementary work. Nearly the whole training of pupil teachers had now been made secondary work, and the necessary scholarships which had to be found in elementary schools also fell upon the rate other than elementary. The whole of the evening continuation schools fell on the rate which was not elementary, and practically the 2d. rate was mortgaged to purposes which were essentially connected with elementary education, and the great difficulty with county authorities was to find any means to help secondary or higher education and the training of teachers owing to the lack of money As the noble Lord had worded his Amendment it did not provide only that the 2d. rate should not be exceeded without taking a plebiscite. As the Amendment stood it would fetter the existing rights of those authorities, and would prevent an authority which was levying 1d. rate from raising it to 1½d. next year without a plebiscite. The Amendment would not work at all. It meant an appeal to the ignorance of the county from the knowledge and experience of the council. The noble Lord had spoken as if it were intolerable that these local authorities should spend money on secondary education, and had referred to these schools as if they ought to be mainly in large towns. He (Lord Stanley) thought that one of the most hopeful signs of the times was that an endeavour was now being made to bring secondary schools at moderate fees within the reach of those

in country districts. There was a general feeling through the country in favour of bridging over the gap between the elementary school and the secondary school; but if ridiculous and vexatious injunctions, such as the Amendment proposed, were imposed upon the local authorities, their good work in that direction would become impossible.

VISCOUNT CROSS said he was strongly in favour of any suggestion that would tend to the reduction of the rates; but, as a practical matter, he could not see his way to support the Amendment. It would be impossible to work the Bill without some increase in the rates; and to say that there should not be an increase in the rates without a poll was practically to say that the Bill should not be put into operation at all.

*LORD AVEBURY said that a good deal of the objection raised to his Amendment was founded on a misconception. Nearly the whole of the observations of Lord Stanley of Alderley and of Lord Fitzmaurice were devoted to counties, whereas the Amendment did not deal with counties. Noble Lords frequently said they were in favour of economy, but when an economical proposition was brought forward they found some reason for opposing it. The reference to a poll of the voters had in many cases led to economy, and showed that the councils did not always represent the views of the electors.

On Question, Amendment negatived.

Clause 18 agreed to.

Clauses 19 to 23 agreed to.

Clause 24:—

*THE EARL OF JERSEY (in the absence of Earl CADOGAN) moved to add to the subsection empowering the local education authority to provide the children with play centres and means of recreation the proviso that in the exercise of those powers the local authority might assist voluntary agencies, or associate with itself representatives of such agencies, for these purposes. He said that Lord Stanley of Alderley had very kindly pointed out to him that the words as they stood on the Paper might limit the operation of the proviso to associations which were now in existence, and, therefore, acting on his suggestion, he proposed, after the words "encourage and assist the," to add "establishment or." The proviso did not attack any principle in the Bill, and he was given to understand that it would receive favourable consideration at the hands of the noble Earl the Lord President. The Children's Happy Evenings Association, with which a great many people in London were connected, had worked for the last seventeen years in the greatest harmony with the London School Board and the present local education authority for London, and during that time they had been able to bring means of recreation and pleasant evenings to upwards of 22,000 children. He thought this fact would show that there was no fear that these associations would not work harmoniously with the local authorities.

Amendment moved—

"In page 18, line 28, after the word 'place,' to insert the words, 'provided that in any exercise of powers under this section the local education authority may encourage and assist the establishment or continuance of voluntary agencies, and associate with itself representatives of voluntary associations for the purpose.'"—(*The Earl of Jersey.*)

THE MARQUESS OF LONDONDERRY, in supporting the Amendment, said that, while Chairman of the London School Board, he had much experience of the good work done in the way of providing the children with entertainment by such agencies as the Children's Happy Evenings Association. There were something like 134 branches in forty-three districts, enabling benefits to be conferred on some 22,000 children without expense to the ratepayers. It was exceedingly unfortunate that there should be any possibility of the efforts of these associations, which had been so successful in the past, being in any way injured by this Bill. It had been stated in the House of Commons that the wider interpretation of the clause would tend to kill voluntary associations, and the statement was made that the local education authorities might, if they chose, provide salaried teachers to do the work which was now done free of charge. Mr. Trevelyan had estimated that the cost, for London alone, would be £20,000 a year, whereas the association could do the work at its own cost for something like £35 per 1,000 children. Therefore, in the cause of economy, as well as on other grounds, he hoped the noble Earl would be able to state that there was no intention to interfere with the present arrangement.

LORD REAY said his experience had been the same as that of the noble Marquess who had just sat down. He was confident that this kind of work could be much better done by a voluntary agency than by an official agency, and he hoped the noble Earl would be able to accept the Amendment.

THE EARL OF CREWE: My Lords, I have no opposition to offer to the Amendment of my noble friend opposite. We fully recognise the value of the work which has been done by these admirable agencies. There is something, I think, inexpressibly pathetic in the undoubted fact that there are a number of children of the very poor who simply do not know how to play, because they have never had the chance of playing anywhere, except, perhaps, in the gutter; and no praise can be too high for those people who have devoted their time and money to this excellent work. I think that as a matter of fact the clause as it stands would have allowed the encouragement and assistance of these and all future agencies. The power to provide during holidays and at other times would have included a power to utilise, and, if necessary, subsidise, these agencies without the words which the noble Lord proposes to insert; but, as he desires to have them in, we offer no opposition, and perhaps they will make the matter more clear.

On Question, Amendment agreed to.

LORD BELPER moved the omission of that part of the clause which laid on the local education authority "the duty to provide for the medical inspection of children before or at the time of their admission to a public elementary school." This Amendment was, he said, one of very considerable importance, and he might state that he was proposing it at the wish of the County Councils Association. Many of the representatives of councils and those who had the management of education in the counties felt very great alarm at the expense, not to speak of the trouble, which would probably be involved with regard to this matter. He would state shortly how the words to which they objected came into the clause. As the clause was originally introduced in the other House, sub-section (b) gave the power to provide for the medical inspection of children. In Committee it was altered to the duty to provide. He did not know what discussion took place upon it, but the Committee would at once see that, as far, at all events, as counties and large agricultural districts went, it was a very important alteration indeed in the clause. What would be the effect of the clause if it was enforced as it now stood? It would be necessary that in every country school there should be medical inspection of children immediately before or at the time of their admission. Therefore, one of two things must happen. Either they must have a very large staff of inspectors to inspect the children who came to the schools on different dates and at different times, or they would have to limit the power of taking in children and lay down certain times at the beginning of the month or the beginning of the term when they might be admitted. That would be a very objectional course to pursue, and one which no education authority would recommend. He had taken some trouble to inquire what this medical inspection would entail. The duty being imposed on the authority, it obviously could not be done by any but properly qualified people. It could not be done by nurses, and it would be very undesirable that it should be done by small country practitioners who had not the experience and knowledge necessary for thorough inspection. If the inspection was to be carried out thoroughly, if it was to be really efficient, it ought to be done by men who were fully qualified and who thoroughly understood mental and nervous disorders, because, if the classification was to be of any use whatever, it would be necessary to ascertain, when a child first came to the school, whether or not he was in a fit state to go through a full course of study. He thought this duty might be carried out by the medical officers of health to some extent, though they could not cover the whole county. It might also be done by giving a small grant to practitioners, but he did not think that sort of inspection would be sufficient to carry out the object of the Bill. They would have to engage properly qualified persons, a very great part of whose time would be taken up in this inspection, and who would have to be paid a substantial salary if they were to carry out their duties in an efficient manner. This was a novel proposal. He did not in the least object to it for that reason, nor did he wish to take any exception to encouraging proper inspection as to the health and physical condition of the children; but he ventured to suggest that this obligatory clause was not suitable in counties and large scattered districts, and that if they wished to have the inspection done satisfactorily, it would be wiser that in the first instance it should be voluntary. As he proposed to amend the sub-section it would read that the powers and duties of a local education authority under Part III. of the Education Act, 1902, should include—

> "(b) The power to make such arrangements as may be sanctioned by the Board of Education for attending to the health and physical condition of the children educated in public elementary schools."

That, at all events, would be a large step in the right direction; and he thought it would be more satisfactory in the long run to begin the inspection in a tentative way.

Amendment moved—

> "In page 18, line 29, to leave out from the beginning of paragraph (*b*) to the second 'the' in line 32."—(*Lord Belper.*)

*Lord HARRIS added his support to what Lord Belper had said. His noble friend had dealt principally with the duty of providing medical inspection for children before or at the time of their admission to the school, but he thought it was obvious that by degrees, if not at first, the Board of Education would demand a much more constant medical supervision. That was excellent so far as it went, but obviously, if there was to be any value about the medical inspection, it would have to be far more constant and not confined to those few occasions when fresh children entered the school. The Board of Education would, as time went on, be forced to press for more constant examination, and he submitted that if the noble Earl would go into the question of the number of children who would have to be inspected, the journeys that the doctors would have to take in country districts, and the amount of remuneration necessary, he would see the enormous cost that was going to be thrown on the ratepayers. He submitted that if the country wished the children in the schools to be medically inspected and medically treated, some further assistance from the State should be given, and the whole cost should not be thrown on real property.

Lord FARRER regretted that his noble friend had felt it necessary to bring forward this Amendment, and referred to an incident which had occurred in a rural district in his own county this year. It was found at the beginning of the summer that a child was attending school in a half starved condition. It was extremely difficult to know how to deal with a case of that sort in a small village, where everybody was known and marked. In old days, before the Act of 1902, they would, of course, have dealt with the case by having a medical inspection of their own. What they decided to do was to ask the county council to send their medical officer to inspect the whole school, and in that case the child naturally could be singled out if he was not in a fit state. That he, was glad to say, was done, but it took six weeks to do it, and the medical officer practically stated that he did not feel that proceedings could be taken. He thought everybody who had had experience of country schools would agree that if this duty were placed on county authorities the health of the nation would be greatly improved.

*The LORD BISHOP of RIPON said the Amendment he had on the Paper, and which he would move later, was designed to strengthen rather than weaken a clause which asserted the necessity of medical inspection. They were committed, by the history of their past policy, to some action of the kind. What they were asked to do could not be described as merely the suggestion of enthusiastic ignoramuses; it was founded on the very best experience and the counsel of the best experts they could command. He could not help feeling that the noble Lord who had proposed this Amendment had greatly exaggerated the probable cost to the country. In point of fact, he thought it could be shown that, so far from this being an extravagance on the part of the nation, it would prove to be a real economy. Before compulsory education came into force the position of a parent was a very simple one. If a child was unwell it was kept from school, and many a child who in the present day had to attend school compulsorily would formerly have been withheld from school on the ground that it was not physically fit to attend. The consequence was that in those days our schools were filled with healthy children and the unhealthy remained without education at all. They had altered all that and had made education compulsory, and the consequence was that the children in our schools now comprised all classes—the fit and the unfit, the weak and feeble as well as the strong. In those circumstances it seemed to him that they were almost forced to the conclusion that it would be a righteous act on their part to take care that the weak children, who would not have been in the school but for the compulsory provision, should be protected against undue strain by some careful medical examination. The country had taken upon itself very large burdens in the matter of education, and the reason it had done so was that it was convinced that it was worth while to pay the price, because it reaped the reward later on. He was prepared to believe that those who had taken any interest in education at all were ready to accept the maxim that there was an economic value in education as such. If that were so, why should not they complete their work by taking care to reap the full reward of that value by not sending children out into the world under conditions which would make their progress and success in life more difficult? This was not simply a question in which a number of enthusiasts were speaking. What was asked for in this clause was simply that the recommendations of three Royal Commissions should be carried into effect. A Royal Commission was issued for the examination of the condition of things in Scotland, and that Commission called attention in their Report to what they described as a serious defect in our system of education—namely, the lack of systematic medical inspection of the children. The Royal Commission on Physical Deterioration also recommended that systematised medical inspection should be carried on, and that this duty should be imposed on the local authorities. The third Commission to which he referred expressed the opinion that the structure of our educational system would never be complete until it was made possible for a teacher to refer all doubtful cases to distinct medical inspection. In other words, the three Royal Commissions that had reported on this subject had all reported in favour of medical inspection, and in doing so they were largely supported by the experience of medical men who had devoted much study to the subject. It was impossible for a teacher to detect many diseases which were in the system of the child but were not obviously manifest in themselves. The value of medical inspection was not simply to prevent the disease of the individual child, but to protect the other children from contagion. In Boston a complete system of medical inspection prevailed, and in one year 17,000 children were referred by the teachers to the medical inspectors. Of those, 2,500 were sent home, and of those sent home it was discovered that between 400 and 500 were suffering from contagious diseases. Their Lordships could picture what an economy this was in the health of a great city. They were asking for something which in other countries had been accepted and which he was glad to say had been adopted also in a few cases in this country. It might be said that this was all a question of expense, but in Boston, where the system was carried out with a great deal of care, the city was mapped out in fifty districts and the medical officer in each district received £40 a year, so that £2,000 a year covered the whole cost of the inspection. In West Sussex the expenditure on this matter was just £200, which amounted to one-sixteenth of a penny rate in the pound. Surrey was another instance where the expenditure was under £500, and the cost to the rates was one-twentieth of a penny in the pound. And at Eastbourne the expenditure on this matter was no higher than one-thirtieth of a penny in the pound. The results where medical inspection had been adopted had been entirely encouraging and the expense was not heavy. But it would be a transcendent mistake to measure such a thing by the mere expense. Medical inspection, by reducin the number of the unfit, would ultimately reduce the rates. Even if the expense were heavier, would it not be worth while to incur it for such a result? Would it not be a wise policy of national insurance? He desired that the inspection should take place at the time of the children's leaving school as well as the time of their entering it.

LORD HENEAGE said that if the right rev. Prelate's suggestion was to be carried out properly it would mean that there must be regular inspection every month. If so, it should be paid for by the State. The question was whether it was worth while having inspection only when children entered the school, and the more practical part of the issue was by whom was that inspection to be made He ventured to say that one half of the medical officers of the country were not qualified to make this inspection, and it would be most invidious to place the duty upon small country practitioners, because they would be inspecting the children of the people they were constantly attending and would get into hot water. If the inspection was to be carried out logically, as proposed by the right rev Prelate, it must be done a great deal. more systematically, and if that was so, it could only be done by medical men appointed for the purpose and paid by the State.

*THE EARL OF MEATH hoped that, as he had the privilege of being the humble instrument, through their Lordships' House, of obtaining the appointment of the Inter-Departmental Committee on Physical Deterioration of 1904, he might be allowed to say a few words in support of the right rev. Prelate. He rejoiced exceedingly when he saw that His Majesty's Government, in Clause 24, had stated their intention that one of the duties of the local education authority should be to provide for the medical inspection of children, but he was sorry that they limited it to before or at the time of admission to the public elementary school. He thought it was of the greatest importance that children should be examined not only when they entered the school, but also when they left the school. One of the recommendations of the Royal Commission was that there should be an anthropometric survey instituted. It was impossible that those measurements could be of any use unless they were taken when the child entered the school and when he left. Other countries had adopted this method, and the time had come when we should do the same. It was of the most vital importance to this country that our children should be strong and full of vitality, and money could not be spent better than in raising a healthy and Imperial race which should carry on the traditions of this great Empire. He hoped no question of small extra expense would enter into the consideration of His Majesty's Government in this matter. They were spending money lavishly on many departments which needed it less than this one, and he hoped His Majesty's Government would not only be firm in regard to obtaining what they had on the Paper, but that they would add the Amendment of the right rev. Prelate.

THE EARL OF CREWE: My Lords, we have had even so far a discussion of great interest on this extremely important subject. Nobody, I think, can complain that my noble friend opposite, Lord Belper, has felt it his duty to draw the attention of the Committee to one aspect of the question which, in the general enthusiasm which surrounds a matter of this kind, no doubt runs some risk of being forgotten—I mean the question of the possible expense as applied to rural areas; and I think we must all agree that the noble Lord stated with great moderation his case on behalf of the councils for which he speaks. I think that due weight certainly ought to be given to these considerations, but, after giving that weight—and we have very carefully considered the matter—we are not able to agree to the suggestion of the noble Lord. This fear of cost has been to some extent dealt with, and I think in some degree exposed, in the speech of the right rev. Prelate the Bishop of Ripon. After all, admitting that a certain charge must necessarily be put on the rates, think of the credit side of the ledger. Think, my Lords, merely from an economic point of view what a waste it is to teach a great many of these children at all in the condition in which they are. If a child is slightly deaf and cannot possibly hear what the teacher says, if he is very shortsighted and cannot see the blackboard, or if for some general constitutional reason he is in such a state that, although he may hear or see, what is told him passes out of his mind immediately—what an utter waste it is to teach such a child at all while in such a condition; and I think that in considering the economic point of view we are bound to attach the greatest possible weight also to that consideration. The right rev. Prelate has told us that other countries are ahead of us in this matter, and that is so. I think I am right in saying that in Germany, in Switzerland, and in the United States, compulsion in this matter is the rule. The right rev. Prelate also dwelt on the considerations which I think must weigh greatly with us, namely, the Reports of the different Royal Commissions who have considered this matter. Many of your Lordships, I am sure, read the very interesting Report on Physical Deterioration, and I am sure you will remember the extremely certain terms in which the Commission declared their belief in the necessity of some such regular inspection as this.

The question raised by Lord Belper is this, Is compulsion necessary in this matter? On the whole we think it is. The power exists at present and is exercised in some cases, but we do not believe that, taking the country as a whole, the necessity for this kind of inspection is sufficiently realised, and it must be brought home to public bodies in the country by inserting the word "duty" and thus placing compulsion upon them. The noble Lord has said that this would be a very difficult matter in rural areas. The answer to that is that it has been done, as the right rev. Prelate told us, in certain rural areas, and not at very great expense. As it is, a considerable number of county councils have medical officers of their own, and I should have thought it might not be difficult for them in other cases to work in with the local sanitary authorities in organising some system of inspection. I confess I do not appreciate the point made by my noble friend Lord Heneage as to the difficult burden that would be thrown on small country practitioners by this work. I think a great many small country practitioners would be rather pleased and proud to be employed by the public authority, and that it should be supposed that a country practitioner would get into hot water with the parents for pointing out that a child was not well I confess passes my comprehension. It must be remembered that it is not medical treatment that is intended by this clause, but periodical ordinary inspection.

I think perhaps I had better not deal with the special point raised by the right rev. Prelate until he moves his Amendment. Therefore I will say nothing at this stage about his desire to insert the words "on leaving." I do not know whether many of your Lordships have read the debate in the other House on this question. The unanimity in favour of this principle was really surprising. From all quarters of the House, from Mr. Balfour, and from a great number of gentleman who are as a rule opposed to the Government, there came the strongest appreciation of the principle; and not only that, there was only one voice raised in that debate against the insertion of the clause in its present form including the word "duty" and thus making it compulsory. We, therefore, are bound to adhere to the clause as it stands, and cannot accept the noble Lord's Amendment.

*THE MARQUESS OF LANSDOWNE: My Lords, I must say that after listening to the statement of the noble Earl the Lord President of the Council I feel that I for one shall not be able to vote with my noble friend Lord Belper. It is no doubt true that this experiment may be one of a costly character and one not very easy to carry out in rural districts. On the other hand, I cannot conceal from myself that there is a very great weight of authority in favour of inspection of the kind suggested in the Bill, and I think the noble Earl opposite is right when he says that the economic arguments certainly do not all make the same way. Even assuming the operation to be a costly one, we may fairly set on the other side of the account the advantage of a careful examination of these children, an examination which will render it easier to adapt to their condition, whatever it is, the education which they are afterwards to receive. At any rate the proposal seems to me to be one which your Lordships' House should hesitate to oppose, and, therefore, if the noble Lord goes to a division, I shall reluctantly vote against him.

LORD BELPER, in reply, said that it was unnecessary, so far as he was concerned, to expatiate on the advantages of this inspection. He was fully aware of them and had never said a single word in opposition to inspection so long as it was carried out in a reasonable way, and with due regard to economy. But, after listening to the remarks of the right rev. Prelate and other noble Lords, it seemed to him that it was a case where there ought to be some differentiation between crowded cities and scattered communities. The economic advantages had been laid before the House. He admitted that there must be economic advantages, but those advantages would be in the boroughs where the deterioration of the Imperial race to which his noble friend on the cross benches had alluded was going on rapidly. It was not in the scattered agricultural districts in the country that the same economic advantages would be reaped. But while the economic advantages would be reaped in the boroughs, the cost in the boroughs would be infinitesimal compared with what it would be in the scattered districts in the country. The noble Earl the Lord President of the Council had suggested that the medical officers of health should undertake this work. He could not think that the noble Earl had considered what the duties of these medical officers were at present, or how it was possible for them to visit all parts of the county. This matter had been discussed by the medical officers of health themselves, and many of the leading medical officers were very strong on the point that they should have nothing to do with inspection in schools. The point was, he believed, being discussed at the present moment. After the appeal which had been made to him, it was difficult to divide the Committee on his Amendment, but he urged the Committee and the Government to consider whether this was not a case in which the burden ought to be borne by the taxpayer and not by the overburdened ratepayer. If some assurance was forthcoming that a special grant would be given to country districts if it was found that the expense involved was heavy, it would remove the greater part of the objection he had to the clause as it stood.

*LORD FITZMAURICE said the noble Lord had made another appeal in regard to the question of the expense involved in this clause. He very much wished that it were possible for the Government, who fully recognised the great authority with which his noble friend spoke upon all these questions, to give him greater information in detail about the finance of the Bill, but he really did not think it would be possible upon the financial question to go beyond what was said yesterday evening. It was then stated that the Government felt that this and many other questions were all matters the raising of which at this time was premature because they touched questions of detail which could only come up for treatment when rather more was known of the exact operation in practice of some of the clauses of the Bill. As his noble friend was not going to divide he did not desire to take up their Lordships' time on this question. But there was one point which, speaking as he felt he did from a common standpoint with his noble friend, he would ask leave to put forward. The Committee, in discussing this question, ought to bear in mind that there were already in a very considerable number of counties in England medical officers of health who had to give their whole time to their work. There were other counties, no doubt, with medical officers who did not give the whole of their time. He was not thinking about them. Some also had no county officer at all. But a great number of counties had appointed whole-time officers, of which his own county was one, and he did not anticipate that there would be any unwillingness on the part of these gentlemen to undertake this work. Of course the Lord President did not mean to suggest, nor did anyone else, that the medical officers of the county should undertake the work alone. This matter would work by a system of what might be called delegation. There were a great many duties connected, for example, with isolation hospitals which medical officers of the counties had to discharge and in which they naturally worked with the local officers of the urban and rural district councils. He took it that if this duty were placed on county councils the first thing that would happen would be that nearly all the counties in England which had been backward would have to come into line and appoint whole-time medical officers of health. If that was the indirect effect he thought it alone would be a justification for standing by the clause. And when that had been done, no doubt the county medical officer of health, under the direction of the county council, would be called upon to organise a service of inspection through the local medical officers of the various urban and rural districts of the country. He was not alarmed at the prospect. In county life they had surmounted far greater difficulties than this, and if they passed this clause they would have struck a real blow on behalf of the improvement of the health of the people and the better sanitation of the country.

VISCOUNT GOSCHEN said he rose to make one observation, an observation which he ought not to make as an old Chancellor of the Exchequer. His noble friend had said that they could not again go into the question of finance, and that it was impossible now to foresee what the expense would be. But he thought they were all agreed in this, that whatever medical officers might be entrusted with these important duties they would have to be paid, and that very considerable expense would have to be incurred. What he suggested to His Majesty's Government was that in order to ease the minds of the county councils and of the ratepayers in the rural districts they should give some sort of promise, if it could be done, that this particular expense should be earmarked as an Imperial expense and be paid from the Imperial Exchequer. Other contributions had been made to local authorities for special purposes out of the Imperial taxes. It was a system to which he had been opposed, but this was so special a case that he thought the argument was strongly in favour of its being made an Imperial expense. No Amendment could be moved in the House of Commons or in their Lordships' House in this direction; it rested entirely with the Government. County ratepayers would not feel that an indulgent view of their position had been taken by His Majesty's Government if they could not elicit some promise that the question of earmarking this expense and allowing it to be paid out of the Imperial funds would be taken into consideration.

Amendment, by leave, withdrawn.

*THE LORD BISHOP OF RIPON moved an Amendment to make it the duty of the local education authority to have the children inspected at the time of their leaving school. He thought inspection on leaving school would be of great advantage in determining the future occupation of the child. It was also an indirect safeguard to the national well-being, because the certainty that a child would be put only to such occupation as it had physical power to undertake was a protection against an ultimate burden on the rates.

Amendment moved—

"In page 18, line 30, after the word 'to, to insert the words 'and of their leaving.'"—(*The Lord Bishop of Ripon.*)

THE EARL OF CREWE: We think that on the whole it would be better not to insert the right rev. Prelate's words. The sub-section runs—

"The duty to provide for the medical inspection of children before or at the time of their admission to a public elementary school."

and the reason for that is obvious. The sub-section goes on to say—

"and on such other occasions as the Board of Education direct."

If it is found to be desirable to inspect children on leaving, the Board of Education have power to order it. I do not think that it is necessary to make it a matter of rule, and I am afraid I cannot therefore accept the Amendment.

Amendment, by leave, withdrawn.

*THE LORD BISHOP OF RIPON moved to amend sub-section (b) by substituting "duty" for "power" in the latter half. He explained that he moved this Amendment to bring both halves of the sub-section into line.

Amendment moved—

"In page 18, line 32, to leave out 'power' and to insert 'duty.'"—(*The Lord Bishop of Ripon.*)

THE EARL OF CREWE: I am afraid we cannot accept the Amendment. The word "power" was put in after great deliberation.

Amendment, by leave, withdrawn.

*THE LORD BISHOP OF RIPON then moved to substitute "supervising" for "attending to" in that portion of the sub-section which gave power to make such arrangements as might be sanctioned by the Board of Education for "attending to" the health and physical condition of the children. "Attending to" was, he said, a technical phrase which might be taken to mean medical attention, and he did not think His Majesty's Government proposed that the children should be medically attended. He took it that the sole idea of the sub-section was that there should be medical inspection, and medical inspection could be carried out by a general supervision. It was not intended that there should be distinct medical treatment, as this would not be dealing fairly by the local practitioners.

Amendment moved—

"In page 18, line 34, to leave out the words 'attending to' and insert the word 'supervising.'"—(*The Lord Bishop of Ripon.*)

THE EARL OF CREWE: The words "attending to" are perhaps rather wider in their application than the word "supervising," but medical treatment is not included as the term is ordinarily understood. We prefer the words as they stand, and therefore cannot accept the Amendment.

Amendment, by leave, withdrawn.

On Question, That Clause 24, as amended, stand part of the Bill,

THE LORD BISHOP OF BATH AND WELLS referred with satisfaction to the power given in sub-section (c) to aid by scholarships or bursaries the instruction in public elementary schools of scholars from the age of twelve up to the limit of age for the provision of instruction in a public elementary school fixed by Section 22, sub-section (2) of the Education Act, 1902. He asked if it was not possible to allow the bursaries to be available in secondary schools as well.

THE EARL OF CREWE: I think the right rev. Prelate will find that that power exists already. This clause only applies to public elementary schools.

On Question, Clause 24, as amended, agreed to.

LORD BELPER moved to insert a new clause, after Clause 24, to the effect that when a local education authority provided means of conveyance for a child between a reasonable distance of its home and a public elementary school, it should not be a reasonable excuse for the purposes of Section 74 of the Elementary Education Act, 1870, that there was no public elementary school open which such child could attend within three miles of its residence. He hoped the extreme innocence of this clause would ensure for it a better reception than had been accorded to some of the Amendments he had brought forward. This Amendment was moved in the other House, and, although it seemed to be somewhat of a novelty to the Parliamentary Secretary to the Board of Education, yet some hope was held out that it would be further considered in their Lordships' House. It had been found that where a school was very small, and where there were very few children in the parish, the most efficient and most economical way of providing education was to cart them over to a neighbouring school a small distance away, and so prevent having two small schools, both of which would not be so efficient as where they could get a larger number of children to go to one. In these cases it seemed necessary to make an exception from the rule which allowed the local education authority, where a child was three miles distant from a school, not to prosecute when the child refused to go to the school. If they were carried, there would, of course, be no difficulty. This was being pretty largely adopted by county schools. He himself in his own two small parishes, adopted this system more than twenty years ago. He found it to act extremely well as long as there was a sufficient number of children in one of the schools. He carted over about twenty in a covered cart for a very considerable period, with the result that one school became more efficient and able to show up the other one. He hoped the noble Lord would be able to accept the Amendment moved by him on behalf of the County Councils Association. There were a great many counties making use of this method, and their hands ought to be strengthened to enable them to prosecute where children did not attend school.

Amendment moved—

"To insert the following new clause:—'When a local education authority provides means of conveyance for a child between a reasonable distance of its home and a public elementary school, it shall not be a reasonable excuse for the purposes of Section 74 of the Elementary Education Act, 1870, that there is no public elementary school open which such child can attend within three miles of its residence.' "—(*Lord Belper.*)

THE EARL OF CREWE: I am very glad, as the noble Lord foreshadowed, to be able to give a better reception to this Amendment than I have been able to give to some others of his. It is true that it has been found a great convenience to transport children on wheels to schools at some distance. It has been found very often in the case of quite small children, that even within legal distance it was desirable sometimes to take them in some form of conveyance. The actual form of the noble Lord's Amendment does not, I think, quite meet his wishes. He deals with the reasonable excuse under Section 74 of the Act of 1870, but it is also desirable to deal with the clauses of the Act of 1876, to deal with the excuse for employment, and I understand that my noble friend, therefore, will accept the Amendment in this form which I have no doubt will be generally accepted: " When a local education authority provides means for conveyance for a child between a reasonable distance of its home and a public elementary school it shall not be a reasonable excuse for the purposes of Section 74 of the Elementary Education Act of 1870, or Section 11 of the Act of 1876 or, the grant of exemption for the purposes of Section 9 of the latter Act, that there is no public elementary school open which such child can attend within the distance of its residence prescribed by these sections or by any by-law made under Section 74 of the Education Act of 1870."

LORD BELPER said he would withdraw his Amendment in favour of the noble Earl's.

Amendment, by leave, withdrawn.

LORD ASHBOURNE seconded the Amendment of the Lord President of the Council.

Amendment moved—

" To insert as a new clause: ' When a local education authority provides means for conveyance for a child between a reasonable distance of its home and a public elementary school it shall not be a reasonable excuse for the purposes of Section 74 of the Elementary Education Act of 1870, or Section 11 of the Act of 1876, or, the grant of exemption for the purposes of Section 9 of the latter Act, that there is no public elementary school open which such child can attend within the distance of its residence prescribed by these sections or by any by-law made under Section 74 of the Education Act of 1870.' "—(*The Earl of Crewe.*)

On Question, new clause agreed to.

LORD MONTAGU OF BEAULIEU said he wished to move a new clause which had for its object the flying of the national flag from every national school in the country. Some people might think that he had put this new clause on the Paper in a light manner. He had put it down in a very serious manner, because he thought that if the Government saw their way to accept its principle, it might introduce a very valuable precedent, and bring the schools of the country into conformity with the schools of other countries which were among the most progressive and intelligent of the nations. Already over the national schools of the United States, of Germany, and of our ally Japan, the flag was always thus hoisted during the time education was proceeding, and he could not help thinking that, though it might be a matter of sentiment, this practice tended to give the young a reverence for the flag of the country and inculcated, to a certain extent, an idea of what they owed to it. In Sweden, also, the most intelligently-governed country in Europe in regard to education, the national flag was displayed in this manner. It might be argued that this new clause would encourage what His Majesty's Government or their supporters thought was an undue amount of Jingoism, but he was inclined to think that that was a somewhat hollow argument. When noble Lords remembered how at different festivals the Royal Standard was very often flown from a ten pound villa, suspended by the wrong end, they would admit that the knowledge in this country of the national flag was not so general as it might be. He would remind noble Lords that in another place it was decided a few years ago that whenever the House of Commons and also their Lordships' House were sitting the

Union Jack should fly from the top of the Victoria Tower. It was also flown on all public buildings in time of holiday, and he could not help thinking that it would certainly do good if on the national schools the flag were also flown. It would teach the young idea something of the history of the country. The experiment had already been made in the schools of Hertfordshire. He had had a great amount of correspondence on this question since he took the matter up, and one of the education authorities in the county wrote to say that the flag was hoisted above the schools of the town when the attendance reached the maximum or nearly the maximum figure. Last year in one of the schools it was hoisted on every occasion, showing that the attendance was excellent. He felt strongly on this point. He thought they might very properly follow the example of the United States, Germany and Japan in the matter. The Committee would observe that the Amendment was neither sectarian nor political in character and he desired to move it in that spirit. He hoped the Lord President of the Council would be able to give him some comfort and to assure him that the Government would accede in spirit if not in the letter to the suggestion he had made.

Amendment moved—

"To insert the following new clause: 'Every public elementary school shall, after the passing of this Act, fly the Union Jack during school hours.'"—(*Lord Montagu of Beaulieu.*)

*THE EARL OF MEATH said he rose to support the Amendment of the noble Lord who had just sat down, and he did so because he was perfectly confident that he had approached the subject in no Jingoistic or flag-wagging spirit. If he had the smallest doubt on this point he would not be supporting the proposal. The noble Lord recognised that the national flag represented the honour and the majesty of the Empire. He had shown what dynamic power for good was to be found in sentiment, and that sentiment, especially in these days, could not be ignored. They saw on all hands that sentiment ruled nations, and if they could raise the proper feeling they could make a great deal of use out of sentiment. Some years ago he had the honour of requesting His Majesty's Government in that House to ask the permission of Her late Majesty that the national flag should be flown from the summit of the tower which overshadowed their House. Her late Majesty graciously permitted that flag to be flown there, and it now flew as their Lordships were aware during their sittings. He was not aware that their debates had become more Jingoistic than they were before, and he saw no reason, therefore, to dread that the feelings of school children would become Jingoistic because they learned their lessons under the same flag as that under which their Lordships spoke. Lord Montagu of Beaulieu had told them that in Sweden the flag was hoisted over the schools during school hours, but there were many other countries in which this was done. In France the tricolour has always flown, and in the United States of America not only was the flag of that country flown over the schools, but they had daily a most elaborate ceremonial of saluting the flag, such a ceremonial as he would not venture to recommend to the people of this country who were not given to ceremonial. But there was a great democratic republic who thought that there was some power in such a ceremonial. One of the provinces of the old Colony of Canada—the province of Manitoba—had enacted quite recently that the Union Jack should be flown over every school in the province, and that unless the flag was flown no grant should be given to the school. He was not perfectly certain of it, but he believed that in some states of Australia something similar had occurred. Anyhow, he thought the time had arrived when the national flag should be flown over the schools of this country. He asked their Lordships to think what would be the different outlook in life of the millions who now worked and played without a thought for their country or of any higher claim upon them. Let them be given a sense of responsibility to the nation and a sense of personal dignity and of worth instilled into them, and they would rise to the occasion. They would look beyond their private interests to the higher interests of the nation.

LORD MONKSWELL asked the noble Lord who had moved the new clause why if the flag was to be flown it should be only during school hours? If it were only flown during school hours no punctual child would ever see the flag at all.

THE EARL OF CREWE: My Lords, I have no doubt whatever that the noble Lord opposite approached this matter in a perfectly serious spirit, and that both he and the noble Earl who spoke last but one have in their minds that the honour which we all desire to pay to the national emblem would in some way be added to by the acceptance of this proposition. I cannot help thinking that the noble Lord looks at this matter too much from his point of view and not enough from that of the children. I can quite believe that he, as he speeds from one village to another in a motor-car, might derive a glow of satisfaction from thinking that under the shadow of the national flag were being taught the future soldiers and sailors and workers of the Empire. But there is also the children's point of view to be considered. Apart from the fact, which was so pertinently pointed out by my noble friend Lord Monkswell, that when in school the children could not see the flag, I should be inclined to ask, "Is it altogether prudent to associate the national emblem in their minds with school hours? Is it altogether likely to make them love and respect the national emblem more if, when it is flown, it means in effect that "England expects every child to do its lessons"? I do not know what sort of boy the noble Lord may have been—I am sure he was a very good little boy—but most of us when at school, if we had known that the hoisting of the Union Jack was the signal that we should go and do Euclid, and that its being hauled down was the signal that we might play cricket, would have asked that during those lamentable hours it should, at any rate, be hoisted at half-mast. No, my Lords, I am bound to say, speaking quite seriously, that we do not think those sentiments which we wish everybody to feel at the sight of the national flag—love of their country, loyalty to their sovereign, and the sense of national discipline—those sentiments which we could wish to see implanted in the minds of children by the whole of their school education—we do not think that they will be stimulated by such merely mechanical means as these. It is all very well to quote the example of other countries—other countries, no doubt, know their own business best—but I think we must all of us feel that there would be something, from our rather reserved national point of view, a little forced and unnatural and extravagant in this display of the national flag, and I cannot admit that there is any comparison between the flying of the Union Jack on the Victoria Tower and its display on every public school in England.

*LORD STANLEY OF ALDERLEY asked if he might give a little chapter of autobiography in connection with the London School Board which would, he thought, illustrate why the proposal had better not be accepted. The noble Lord on the cross benches, who had always been full of zeal for all good works and had supported it by practical proofs, in December, 1902, wrote a letter to Mr. Diggle, who was then chairman of the school board, offering £50 for the purpose of buying Union Jacks for the schools and proposing practically the adoption of the American ceremonial of best boy in the school carrying the flag round, the whole school saluting it and singing patriotic songs meanwhile.

THE EARL OF MEATH: I am sorry to interrupt the noble Lord, but I did not recommend the American ceremonial, which is a great deal more elaborate.

*LORD STANLEY OF ALDERLEY said that no doubt it was a reformed use, but still it was based upon the American ceremonial, and, in fact, was illustrated in his letter. That letter was referred to the school management committee, and immediately it had a provocative effect, for it brought up a furious, and, he thought, a very unbecoming letter from the Gasworkers' Union, who protested in the usual terms that their Lordships could imagine a democratic society would protest. They protested against the undemocratic spirit of the proposal, the worship of a national fetish, and jingoism, and used other strong language. When the matter came before the Board there was a proposal to accept the noble Earl's offer of £50, but without any of the conditions as to the ritual. He agreed with the noble Earl—he thought it might very well be part of the education of the children of a country to know something of their national flag—and therefore he proposed as an Amendment, that as it would be discourteous to decline the noble Earl's offer, they should accept it, but that, as the £50 would not go very far, the Board should undertake, at the expense of the ratepayers, to supply a flag to the managers of any school who applied for it. They further explained to the noble Lord in the letter they sent to him that the school management committee was considering how far the intelligent study of English history, and the use, both for reading and recitations, of passages of high literary merit which set forth deeds of heroism, would help in the formation of character, and strengthen the sense of civic duty. But they felt that if this teaching was to be effective, more would depend on the spirit in which it was imparted than on the form it might assume, and it was to the teacher's sense of public duty that they must mainly look if this important branch of national education was to be adequately given in the schools. He found, from a subsequent letter from the noble Earl, that he had in his speech stated that it was beneath the dignity of a great board to supply patriotism by subscription, and he therefore proposed that this should be charged upon the rates. His motion was carried after a division in which all his opponents were members of the Conservative Party, who objected to their buying the national flag because it would impose a charge upon the rates. However, with the help of the Progressives, and a certain section of the Moderates, he carried his proposal, and from that day onwards most persons who had visited the board schools would have seen the Union Jack in a conspicuous place. A very useful card had been circulated, which folded over and showed gradually the history of the flag of England before any of the unions and as it was now. If the flag should fly over any of our schools, it should fly over all of them. He appealed to the noble Lords who had made this proposal to say if it would conduce to harmony to insist on flying the Union Jack over all the schools of Connemara and Kerry. He was very much afraid that if they tried to push these things, which were matters of sentiment, into the region of law they would make a singular mistake. He entirely sympathised with the patriotic idea of the noble Lord's proposal. The history of the growth of the nation might be very properly taught, but they ought to avoid theatrical displays, which would falsify rather than help their object.

LORD MONTAGU OF BEAULIEU said he quite agreed with the point which had been raised by Lord Monkswell. He did not intend to confine the hoisting of the flag solely to the time the children were in school. Obviously it should be kept flying during play time. He would suggest a way out of the difficulty which he was sure the noble Earl on the cross benches would not object to. If the noble Earl the Lord President of the Council could assure him that he would in the next education code or syllabus add some special section which would make the teaching of the national symbols obligatory in some way on the various education authorities, his object would have been achieved. He held it to be a question of principle, and unless the Lord President of the Council could give him some assurance he would have to press his Amendment to a division.

*VISCOUNT ST. ALDWYN hoped his noble friend would not do that, but would be content with having called attention to the matter, which had been admirably dealt with in the speech of Lord Stanley of Alderley. Everybody, he supposed, desired that the history of the nation should be included in the curriculum of our schools, and national sentiment should be encouraged, but he thought his noble friend would see that, although agreeing in that, some of them might differ from him as to the advisability of flying the national flag, even at the cost of the ratepayers, outside a school when the children were inside.

LORD MONTAGU OF BEAULIEU asked the Lord President of the Council if he would kindly inform the Committee what action the Government now proposed to take in the matter.

THE LORD PRESIDENT OF THE COUNCIL: I will convey the desires of the noble Lord to my right hon. friend the President of the Board. I can do no more.

On Question, Amendment negatived.

Clause 25 :—

*THE LORD BISHOP OF HEREFORD moved an Amendment to Clause 25 having reference to the registration of teachers. He claimed their Lordships' attention for a few minutes while he endeavoured to direct their attention to what he described as a comparatively dry subject. His Amendment dealt with a subject which was purely educational. It did not touch upon any of the many extraneous matters to which they had given a good deal of attention during these debates. The object of the Amendment was to secure that the teachers employed in our schools should be as good as possible, and he ventured to think that their Lordships would agree with him that the teacher was far and away the most important factor in this measure of legislation. In their school days they obeyed one teacher and disobeyed another, because the latter could not maintain order or discipline. Again, one teacher wasted their time because he was tedious, confused and futile, while another interested and instructed and inspired. It was memories of this kind which they all carried with them through life that brought them to the root of this matter, because they reminded them that the great necessity in connection with their education was that they should have a good teacher. This brought them to the primary duty of taking care that in their legislation they did all they possibly could to encourage the provision of the best teachers. That, he ventured to feel, would best explain the object which he had in view in moving this Amendment. Before actually doing so he would venture to remind them of the present position of the matter. In the Board of Education Act of 1899 it was provided that it should be lawful for Her Majesty in Council to establish a consultative committee consisting, as to not less than two-thirds, of persons qualified to represent the views of Universities and other bodies interested in education for the purpose of framing, with the approval of the Board of Education, regulations for a register of teachers, which should be formed and kept in manner to be decided by Order in Council, provided that the register so formed should contain the names of the registered teachers arranged in alphabetical order with an entry in respect to each teacher, showing the date of his registration, and giving a brief record of his qualifications. Under that enactment the Registration Council or Committee was set up in subordinate relationship to the Consultative Committee of the Board of Education, and that Registration Committee kept a register of teachers, which unfortunately was drawn up in such a form as to give anything but satisfaction to the teaching profession. The register was drawn up in two columns, one, Column A., containing as he understood it, all certificated elementary school teachers, and the other, Column B., containing the names of all other teachers who were registered; and, not unnaturally, he ventured to think their Lordships would agree, the great body of elementary school teachers felt that this separation into two columns was not likely to conduce to the unification of teaching, aud inflicted a stigma on a large number of teachers. Certainly, if he had belonged to the elementary school teachers he would have felt that they were a little hardly treated in being thus relegated to a separate column, and moreover, as he read the Act of 1899, seeing that it laid upon the Registration Council the duty of drawing up a register consisting of names in alphabetical order, he thought that the two-column register could hardly be considered a legal register. Instead of carrying out the instruction to make one register consisting of names in alphabetical order, in excess of zeal the council seemed to have made two, and the natural result was a general unpopularity of this two-column register. Thus, he supposed, the Minister for Education, finding himself in this position, was led to think that the most desirable thing to do under the circumstances was to drop altogether the obligation to keep a register. He ventured to think that in coming to this conclusion His Majesty's Government came to a wrong conclusion. Those who were interested in education were generally agreed that the registration in two columns was not a good thing, but they were equally agreed that a register of teachers was of the greatest possible value. Therefore, he thought that the right method to adopt was not to drop the obligation to keep a register, but to drop the existing register and take measures to form a new one, and that was the gist of his Amendment. The proposal to remove the obligation to keep a register had caused almost universal alarm among teachers throughout secondary and higher schools. It had also inflicted a very real hardship upon a large number of the teachers, who had, in some cases, undergone training with a view to qualifying for the register, and in other cases had registered themselves and paid the fee. He might possibly bring this more forcibly to their Lordships' attention by one or two quotations than by any words of his own. He had received, especially from those who were interested in the education of women, and in the training of women teachers—and we relied more and more in our education on the work of good women teachers—he had received from almost all quarters protests against the proposal to drop this register. In particular he had certain objections very urgently pressed from his own University of Oxford. He had reason to believe that the objections were quite as strong in the sister University of Cambridge, but he proposed not to deal with those because he had the advantage of leaving them in the more competent hands of his right rev. brother the Bishop of Bristol, who, during the greater part of his life, had been so intimately connected with all the various forms of education in the University of Cambridge. But at Oxford there was a delegacy charged with the duties of the training of teachers which was closely connected with this question of keeping a register, and he held in his hands a letter from a very active and influential Member of that delegacy, who said—

> "I may venture to point out to your lordship that a very serious set-back to the movement for the training of secondary teachers has been caused by the proposed abolition of the register."

Then he went on to say that they were certainly beginning to impress their undergraduates with the belief that it was right to learn to be teachers before they began themselves to teach. He added—

> "Now the whole thing is crumbling away before our eyes. There were thirty-seven good men last year at Oxford studying and practising; now there are only eleven."

And he went on to speak further in the same strain. He had an even more emphatic objection than that which he ventured to put before their Lordships. It was a letter forwarded to him by the Vice-Chancellor of Oxford, and written by a very competent instructor or professor who had charge of the training of teachers in the University, to the Vice-Chancellor, whose own views he did not know that it expressed in every respect. Asked for a brief statement as to the effect on the training of secondary teachers in Oxford of the proposal to abolish the register the writer said it was only too easy to make it. He wrote—

> "At this time last year there were thirty-seven men taking his course and there were a number of men on his books for the coming term. This term he had only eleven men working under him. He had only one entry for next term and he was receiving no inquiries."

He added that as compared with the last four or five years the number of women taking the course was also much smaller, though not to the same degree as the men. The success that had attended their training work in that University would have been impossible without the register, and in particular without the knowledge on the part of intending schoolmasters that unless they were on the register they would be ineligible for the head-mastership of a large number of schools. Six or seven years ago men went through a training course because it was a matter of common knowledge that a register would shortly be started. For the last four years they had trained because the register was in existence. The register was now virtually abolished and the whole movement discredited, and it was therefore useless to expect that any young graduates, who were generally low in funds and could obtain fairly remunerative posts with care, would subject themselves to an arduous and costly course of professional training. So far, therefore, the nett result of this clause in the Bill had been to destroy a movement which might reasonably be called the most important of the movements in education other than elementary during the last ten years, and to render useless his (the letter writer's) own efforts and the enormous amount of work expended in this University on the subject. He went on to say that he understood the other centres for the training of secondary teachers had suffered in the same way, but as Oxford was practically the only centre at which the work had been on a large scale—they had had nearly 300 men in nine years—it was at Oxford that the effects were most disastrous. He (the Bishop of Hereford) hoped that testimony of this kind, which came from many other quarters also, might convince their Lordships that it was a wrong policy to drop the obligation to keep a register. He observed that Lord Monkswell had another Amendment on the paper. As he understood the matter, that Amendment covered practically the same ground that was covered by sub-sections (*a*) and (*b*) of his own Amendment. He would therefore ask their Lordships' permission to move sub-section (*a*) of his Amendment first and to take the other sub-sections as they came. Sub-section (*a*) simply amounted to the requirement that a new general register—a one-column register—should be established in place of the two-column register now existing. He thought he was right in saying that every section of the profession of education was in favour of sub-section (*a*). He had not heard a single objection to it from anyone engaged or interested in the profession of education. He would ask their Lordships' attention for a moment to sub-section (*b*). In sub-section (*b*) he proposed that there should be not only a general register in alphabetical order but that the Registration Council charged with this business should have the power——

THE CHAIRMAN OF COMMITTEES, interposing, asked the right rev. Prelate whether, as he was going to deal with sub-section (*b*), he intended to move both the sub-sections?

*THE LORD BISHOP OF HEREFORD asked if he could speak on sub-section (*b*) later?

THE CHAIRMAN OF COMMITTEES replied in the affirmative.

*THE LORD BISHOP OF HEREFORD said in that case he would be glad to move sub-section (*a*) first, merely saying that his aim and purpose in doing so might be defined in very simple terms as, first of all, to unify the whole profession of teaching, to make the whole one body. He held that it was not right that they should separate a body of teachers into elementary teachers and teachers of what were called higher schools. There was no such real difference. There should be distinction between individuals, and not between classes, if there was to be any distinction at all. He ventured to hope that by adopting his Amendment a step might be taken towards the unification of the teaching profession. Then he desired to have the register regulated by a professional council, and, in the third place, he desired to supply the stimulus to all young teachers to go forward, from the time when they entered their profession, in adding fresh qualifications, so as to make themselves better teachers than they otherwise would be. He desired also to protect the public by providing such a register. He begged to move sub-section (*a*) of his Amendment.

Amendment moved—

"In page 19, line 3, after the word 'cease' to insert the words 'provided that within a reasonable period, (*a*) there shall be constituted by Order in Council a teachers' Registration Council representative of the teaching profession, charged with the duty of forming and keeping a register of teachers qualified to teach in schools and other similar institutions.'"—(*The Lord Bishop of Hereford.*)

*THE LORD BISHOP OF BRISTOL said he had spent thirty-five years, nearly half his life, in teaching and in the management of large educational machinery, and this fact he thought possibly gave him some sort of right to speak on this particular matter. He proposed to approach the question not quite from the point of view of his right rev. brother, and must not be taken as exactly seconding or supporting his precise Resolution. He did not know that their Lordships' House had any right to issue any such mandate to the Privy Council as his right rev. brother suggested. He wished to take them back a little further than the Bishop of Hereford. Some fifty years ago, soon after he took his degree, a number of persons realised that much as we might be behind competing nations in other respects, as far as education was concerned, the lower secondary schools of England were probably further behind competing nations—competing in brains and commerce—than any other part of our education, and the Universities took it in hand to improve this state of things so far as they could. They established local examinations, in which he had a very considerable share, and for twenty-five years they went on distinctly improving the education in the lower and higher secondary schools. Then they realised that, after all, attacking the pupils was an indirect means only of the real attack, and they determined to institute a system of training the teachers, and twenty-five years ago in Cambridge University they established a University body for that purpose, and that body had very great success indeed. Their figures were immensely larger than those which his right rev. brother had quoted with regard to Oxford and the numbers went on growing. They found that even an ordinary degree was accepted as quite sufficient qualification for a teacher in a large number of these schools, and in the higher schools a fair degree without any sort of training was universally accepted. He confessed to having himself begun life in that way, and there was more than one Member of their Lordships' House—one important Member present then—who, he feared, must remember that his old master would have been much less incompetent if he had had some sort of training. They determined to stem this, and they introduced their system of training teachers. When in 1902 this register of teachers was established an enormous impulse was given—a stimulus that was very far-reaching indeed—to this essential work of the training of teachers. For instance, in Cambridge they sprang up from 145 graduates and under-graduates undergoing a careful series of instruction and training in the history, theory, and practice of education, to 225 in one year—an immense progress. And that went on. In three years they reached 262. The same was found in the women's colleges, in regard to which also he had a right to speak if any Member of their Lordships' House had. The two great colleges of Newnham and Girton entered between them on the average about 100 in each year, and of those entered more than half on the average passed over from Cambridge to the teaching profession. They found that the stimulus given by the creation of the register was worth everything to them. In Newnham for the two years previous to the establishment of the register no single student had come forward to train for teaching; the change made on the face of affairs by the creation of the register was quite marvellous. What had happened through the mere suggestion to abolish the register? The number fell, as far as graduates and under-graduates were concerned, from 262 to 238, and the fall in the Women's Training College was larger than that, and the fall in proportion at Newnham and Girton was larger still. All that was done by the mere proposal to abolish the register, because it removed the stimulus, and a sort of despair came over the students in the sense that a blunder of abnormal proportions had been committed by those who were in charge of the education of the country. He had received complaints of a detailed character which were very strong indeed from Cheltenham Ladies College, the Association of Irish Schoolmistresses, the Association of English Schoolmistresses, the Association of Headmasters, the Association of Assistant Mistresses, the Association of Assistant Masters, the Teachers' Guild, the College of Preceptors, and last, but not least, the Headmasters' Conference. Without going into the details into which his right rev. brother had gone, there were, without the slightest question, serious defects in the register, and a proposal to remedy them would have had his very warmest approval. But, unfortunately, the policy was followed not of mending but of ending, and that was the policy of revolution. He trusted that His Majesty's Government and their Lordships as a whole would take part in saving secondary education from this disastrous policy, which he really thought had only to be looked into to be condemned. He hoped the Lord President of the Council would be able to give them an assurance, not that "the" register would be continued, but that "a" register would be continued, and that promptly, so that there should be no breach of continuity. Even if the Government were good enough to do that, he must say, and he said it with very great regret in the presence of the courtesy and skill with which this Bill had been conducted through Committee, that in spite of all that the Government could now do it would be years before the mischief would be really remedied.

LORD MONKSWELL said he understood there was no question of abolishing the register—the Government had given way on that point—the only real matter before the House on which there might be controversy being whether his Amendment or that of the right rev. Prelate should be taken. His Amendment seemed to be pretty much on the same lines as the right rev. Prelate's, but there were differences. His own Amendment had a great deal of authority behind it. He went on the previous day to a conference of schoolmasters which was attended by Mr. Gray, Mr. Butcher, and Mr. Yoxall, and he had seen Dr. Macnamara and Sir William Anson, whose Amendment practically he was now moving. They all agreed that his form of words was better than that of the right rev. Prelate, and there was really some considerable difference between the two. In the first place, they unanimously objected to the words "within a reasonable period." They thought that if there was any difficulty in setting up a new form of amended register and a considerable period elapsed, some person who did not want it to be set up might say the power had lapsed. Another vital distinction between the two Amendments had reference to the words "register of teachers qualified to teach in schools and other similar institutions." The schoolmasters were unanimously of opinion that that provision was too vague and might lead to a great deal of difficulty. If they gave a right to everybody who was qualified to teach to be on the register they would have mandamuses and all kinds of legal devices resorted to by teachers not on the register. Therefore, the proposal in his Amendment was that the register should be a register only of such teachers as satisfied the condition of registration established by the Council for the time being. It was not necessary to say any more on that subject. His Amendment had been very carefully considered indeed. It was drafted in a rather different form on the previous day. Sir William Anson took it in hand on the night before and the the Amendment on the Paper contained the united wisdom of that gentleman, Dr. Macnamara, and others.

Amendment moved—

"In page 19, line 3, after the word 'cease' to insert the words 'provided that it shall be lawful for His Majesty by Order in Council to constitute a Registration Council representative of the teaching profession, to whom shall be assigned the duty of forming and keeping a register of such teachers as satisfy the conditions of registration established by the Council for the time being, and who apply to be registered. The register shall contain the names and addresses of all registered teachers in alphabetical order in one column, together with the date of their registration, and such further statement as regards their attainments, training, and experience as the Council may from time to time determine that it is desirable to set forth.' "—(*Lord Monkswell.*)

LORD ASHBOURNE said it was obvious from the closing words of the noble Lord that his Amendment came before their Lordships with a great mass of consideration, as well as a great mass of authority, to commend it, and anyone who read the debates in the other House would bear in mind that this topic excited a great deal of interest there. The speeches which had just been made indicated that that interest had been carried very strongly into their Lordships' House. He shared the views expressed in reference to this matter. He could see reasons which induced the Government to desire a change in the register as it stood, but he thought it would be a catastrophe to kill the existing register and put nothing in its place. He gathered from the noble Lord who had just spoken that his Amendment, which was stronger than that of the right rev. Prelate, commended itself to many who were extremely interested. It read very clearly and well, and seemed to put everything very concisely, and it was an Amendment which, under the circumstances, he trusted their Lordships would see their way to adopt.

LORD CLIFFORD OF CHUDLEIGH said he had on the Paper a Motion to leave out Clause 25, and he wished to say that it was only put down because he and those who were interested in secondary education felt that the abandonment of a register of any kind was a step backwards which would have a very prejudicial effect on secondary education. The Amendment introduced by Lord Monkswell was one which entirely met with his approval, and he believed with that of those for whom he was entitled to speak. He would, therefore, give it his support.

*LORD REAY rose to ask the right rev. Prelate the Bishop of Hereford whether, under the circumstances, he would not withdraw his Amendment, so that they might have the issue plainly put before them in the Amendment of Lord Monkswell, which he supported very strongly. This matter of the register was a very serious one indeed, as had already been pointed out by the right rev. Prelate the Bishop of Bristol. For the future of our secondary education it was of the utmost importance that the qualifications of the teachers, both as regards scholarship and training, and scientific attainment, should be ascertained. The elementary teachers had their certificate—for them there was an organisation — but as regards the secondary teachers the register was required to secure a proper selection by the heads of secondary schools. The difficulty had hitherto been that by the separation of Columns A and B in the register, some of those in Column A, who felt that they were by no means inferior, but in some cases even superior, to those in Column B, had felt aggrieved by this double register. He believed it would be found quite easy for the council of registration which, under the Amendment of Lord Monkswell, would be created, to bridge over the difficulty and to establish a single alphabetical register with qualifications of a higher kind, both as regards scholarship and training, which would include a certain number of teachers who were now in Column A. This was a matter of very serious importance to 11,000 men and women who were already on the register. If the register were abolished, even if they returned the registration fee which had been paid, it was quite clear that to a certain extent these teachers would be disfranchised. In addition, a great injury would be done to those who in recent years had been preparing in order to qualify for the register. He endorsed what had been so well stated by the right rev. Prelate the Bishop of Bristol, than whom no one could speak with greater authority on this subject. By the abolition of the register they imperilled the attendance at training colleges, to which it was of the utmost importance for secondary education that they should give every encouragement. He therefore hoped the noble Earl the Lord President of the Council would accept Lord Monkswell's Amendment.

Lord Reay.

*THE LORD BISHOP OF HEREFORD said he would be perfectly ready to accept the noble Lord's Amendment in place of his own sub-section (*a*), but he would desire to draw their Lordships' attention to the fact that his sub-section (*b*) contained a very important provision with regard to sub-registers, which were entirely passed over in the noble Lord's Amendment. It also contained a provision safeguarding the interests of those who were on the existing register. If he were left in a position to move a rider he was quite prepared to withdraw his Amendment. The rider he would desire to move was to this effect, supposing the noble Lord's Amendment was accepted, "the Register shall also include such supplemental sub-registers as the Council may from time to time form." If he were permitted to move that he would be prepared later to give his reasons for it.

THE EARL OF CREWE: This subject, as my noble friend has already stated, is one which has caused a great deal of interest and has also presented no small difficulty. I think it is not necessary to go at any length into the history of the register, which is the fruit of the Board of Education Act of 1899, because both the right rev. Prelates in their very interesting speeches have stated fully and fairly all the circumstances of the case, but I think it would be unbecoming in me as representing the Education Department here not to bear some testimony to the work done by the Consultative Committee whose work has been very laborious and has been carried out in the most encouraging way. The defect of the register, which is admitted by everybody, consisted to a great extent in the fact of the two columns; the first column consisted, as many of your Lordships know, of a very large number—I think over 80,000—elementary school teachers who were simply placed on it mechanically by information already in the possession of the Board of Education—placed there without any desire of their own, and without paying any fee. In fact, the register, as far as they were concerned, was really a bogus register. Then, as regards the secondary teachers, I daresay a good many of your Lordships read a Paper presented to Parliament in which the views of the Education Department are stated, and which also states the conclusions at which the Consultative Committee have arrived. Apart from the undesirable fact that elementary and secondary teachers, between whom no difference of competence or merit, as the noble Lord has pointed out, necessarily exists, were placed on two separate lists, the B. list was not a satisfactory one in itself as representing the claims or merits of secondary teachers. That was very largely due, as is pointed out in the memorandum, to the fact that the recognition implied in that list was a recognition of schools rather than of individuals. That, naturally, detracted very largely from the value of the list as a register. We certainly came to the conclusion that the register, as carried out, had failed to fulfil both the expectations and the intentions of Parliament, and, therefore, we decided that it would be better under the circumstances to drop it altogether. But we were quite aware that, at any rate, a certain amount of hardship, though less than is sometimes represented, would thereby be inflicted on a great many people who had gone to the expense and had taken the trouble of training in order to get their names on the register; the right rev. Prelate the Bishop of Hereford alluded to the great number of women who had been at this trouble and expense, and it is a remarkable fact that the women teachers seem to have taken much greater interest in this particular matter than the men. We were unwilling to abandon the register because there was some difficulty in putting anything in its place. However, here we have the possibility of a new departure, as expressed in the Amendment of my noble friend Lord Monkswell, and that Amendment we are happy to accept. As regards the Amendment of the right rev. Prelate the Bishop of Hereford, I may say, in the first place, that I think the other right rev. Prelate, the Bishop of Bristol, was right in pointing out that the form in relation to the Order in Council is an unusual one and one which probably could not be admitted into an Act of Parliament. What the right rev. Prelate asks Parliament to do is, in fact, to command the Sovereign to issue an Order in Council in certain terms. That is clearly not the proper form for such a recommendation to take. On the point mentioned by my noble friend Lord Monkswell, there is no doubt that the phrase "teachers qualified to teach," might give rise to very considerable difficulty and complication. We greatly prefer the phrase in my noble friend Lord Monkswell's Amendment "such teachers as satisfy the conditions of registration." As to the further Amendments of the right rev. Prelate, I am afraid we cannot accept them. It seems to us that as things are at this moment, and in the doubt which, to some extent, rests over the whole matter, the broader and somewhat vague terms of Lord Monkswell's Amendment are in themselves an advantage. We do not feel able to accept the idea of the sub-registers as suggested in the right rev. Prelate's Amendment, and we prefer that the registration council should, when formed, have the chance of looking more closely into the whole matter and arriving after consideration and consultation at a settled scheme which will be satisfactory to all parties. I hope, therefore, that the right rev. Prelate will not insist upon pressing the rest of his Amendment.

*THE LORD BISHOP OF HEREFORD said that perhaps in self-defence as regards the actual wording of his Amendment he might say that it was phrased not on his own responsibility but after consultation with almost the identical persons that his noble friend Lord Monkswell had quoted, and the very words specially objected to were, if he remembered rightly, the words of Sir William Anson. He disclaimed any special responsibility with regard to the actual wording or to the exact amount of authority which attached to this form. If he might be permitted one word on his supplementary Amendment that the register should also include such supplemental sub-registers as the council might from time to time form, he would say that his object was to make the register as valuable as possible—to make it a practical business, and not a merely nominal business. He was glad to gather from the noble Earl the Lord President of the Council that Lord Monkswell's Amendment was to be accepted. That practically gave them one alphabetical arrangement of all teachers. This would naturally include all those who were on the register at this moment, to begin with. He ventured to assume that, otherwise he would ask leave to move the other Amendments. That meant that they would have a register consisting, at the outset, of about 100,000 names, with all their qualifications. That would be a very difficult volume to make use of on all kinds of educational occasions and all over the country. It would be very valuable in itself as a general register and as embodying the unity of the profession, but when they came to look at the matter from the practical side, surely it would become a necessity to make a variety of sub-registers. There ought, for instance, to be a sub-register containing the well-qualified kindergarten teachers. And what of the other branches of education —drawing, music, foreign languages, the various branches of science, history, geography, and so forth? Were they to wade through this enormous register before they could find the best possible candidates for these particular subjects? Surely they required something like an analytical register at the back of the big register. He was afraid the suspicion engendered by the two column register had had some influence in preventing the adoption of a sensible course. However, he could only hope when the registration council got to work they would find that if their work was to have any practical effect they must do what he was asking their Lordships to do at that moment.

THE CHAIRMAN OF COMMITTEES: Does the right rev. Prelate press his Amendment?

*THE LORD BISHOP OF HEREFORD replied in the negative.

Amendment, by leave, withdrawn.

On Question, Lord Monkswell's Amendment agreed to.

Clause 25, as amended, agreed to.

Clause 26:—

EARL CAWDOR, in moving to omit Clause 26, said he must ask their Lordships' indulgence for a rather longer time than he should like to give to a clause in a Bill before Committee, but he thought their Lordships would appreciate that this was not an ordinary clause. It was a matter which raised a very definite and broad issue, and therefore he wished to draw attention to the points in the clause to which he thought it was necessary to ask their Lordships' attention. The clause had passed through so many and such strange vicissitudes, and had taken such different forms, that it was impossible to understand it without considering separately each passing phase. When the Bill was introduced in another place early in April last it provided for the establishment of a council for Wales by Order in Council, consisting of members appointed by the county councils, county boroughs, and boroughs and urban districts of above a certain population. This council was to "have power to supply and to aid the supply of education of all kinds in Wales." It was to have transferred to it:—(a) the powers and duties of the Board of Education with certain exceptions; (b) certain powers of the Board of Agriculture, and (c) the powers and duties of the Central Welsh Board for Intermediate Education. It was to have paid over to it at least some £700,000 to £800,000 of Imperial funds as grants for elementary schools to deal with as it pleased without a vestige of Parliamentary control. But on July 16th, more than three months after the introduction of the Bill, when the Committee stage was reached, the President of the Board of Education in another place used these words—

> "He admitted that there was no indication in Part IV. as it had stood in the Bill all these weeks, of what Parliamentary control there would be over the Welsh Council, or of what his position, as President of the Board of Education, would be with regard to the money that was to be allocated. The subject had given him considerable personal anxiety, and it was a mistake to suppose that it had not received the careful consideration of the Government, though he thought, quite frankly, that it was unfortunate that it was left to the Amendments on the Paper to bring out the concessions which the Government proposed to make. . . . ."

At that stage, after three months consideration, His Majesty's Government, though recognising the difficulties in the Bill, had not thought fit apparently to follow the practice in this House, and in another place, to put a single Amendment on the Paper. The right hon. Gentleman then continued—

> "And Part IV. left the Board of Education in, he thought, an improper and dangerous position. He had never been happy under it, and, accordingly, he spent plenty of time in

endeavouring to secure that there should be proper Parliamentary control. He did not think there would be any difficulty whatever in having a Minister in the House who should be able to respond to questions, and who would make himself responsible, and be responsible for the Code and the regulations, and be able to exercise as much control over various local authorities as the President of the Board of Education could. He really thought that the Amendments which had been adumbrated by his right hon. friend would be a great improvement. Although he did not say it would be the most workmanlike piece of work the House ever did, he said it would be a good piece of work and one likely in the future to redound to the cause of good education in Wales."

The Amendment adumbrated by the right hon. Gentleman the President of the Board of Trade was as follows :—

> "The Order in Council shall provide for the appointment by His Majesty of a Member of Parliament whether a Member holding office under the Crown or not who shall be responsible to Parliament for any act of the Council of Wales done in the exercise of any of the powers of the Board of Education delegated to the Council under this section and shall have full control over the Council in respect of the exercise of such powers."

That was the Amendment approved by the President of the Board of Education, who was responsible for the Bill, in order to obviate "an improper and dangerous position" which had been allowed to remain in the Bill from 9th April until 16th July. That Amendment gave absolute control over the proceedings of the Welsh Council to a Minister responsible to Parliament, and it was approved and accepted by the President of the Board of Education in order to obviate what he had stated to be the improper and dangerous position in which the Bill would be without such a safeguard. He begged their Lordships to note what was considered necessary at that time by the President of the Board of Education to safeguard "an improper and dangerous position." But, what took place on Report only three days afterwards? This safeguard—considered absolutely necessary by the President of the Board of Education in Committee to get rid of, to him, an intolerably "improper and dangerous position," was swept away without discussion or explanation—the Minister "responsible to Parliament with full control over the council in respect of the exercise of its powers" disappeared—and in its place they had the clause as it was before their Lordships. The clause as it now stood in the Bill provided that—

> "In the exercise of any powers, or in the performance of any duties transferred under this provision, the Council of Wales shall be subject to the control of the Treasury."

What could be this control of the Treasury? What means had the Treasury of exercising this control? They had no staff for the purpose. They had no inspectors. They had no knowledge which would enable them to check the action of the council. They were practically landed back to where they were before the committee stage, with a Welsh Council absolutely independent of Parliamentary control, and with this fraud of Treasury control put in. Was he wrong when he said on the Second Reading of this Bill,

> "This clause was thrown on the Table of the House of Commons without any thoughts as to the details—without any knowledge of what it was intended to do?"

He had been told that the Treasury control was perfectly efficient, but that was not so. As to the Treasury control over intermediate schools, the Treasury made the regulations for the Imperial Grant. But the Board of Education (formerly the Charity Commission) made their recommendation to the Treasury—and the Treasury acted accordingly. A special report of the Board of Education on the Welsh Intermediate Education Act, published in 1898, had the following passages at pages 28 and 29—

> "An annual examination and inspection of the schools claiming the grant is required; and such examination and inspection may be conducted by the Welsh Board . . . . but the Board is to report to the Charity Commission (now the Board of Education) who by virtue of their ordinary jurisdiction have the necessary powers for testing the sufficiency of the Board's work, or for supplementing it where necessary. The Treasury finally award their Grants on the Report of the Charity Commissioners."

That was the sum total of the powers of the Treasury as to Intermediate Schools. There was no signs of their having anything in the nature of a general control. The whole of their control came through the Board of Education. Now he passed to another point. He might be told that, even if that was true, there was surely a precedent for what was being asked for in what had been done in the past. They had for this clause the precedent of the Welsh Board for Intermediate Education. He entirely denied that that was any precedent whatever. Although it seemed wearisome he must ask their Lordships to let him go through the steps with respect to that proceeding. First of all he would give a quotation from the highest source—again from the President of the Board of Education. The right hon. Gentleman was reported in *Hansard* to have said on 18th June—

> "He did not see how they could refuse to Wales the complete control of elementary education, provided she was willing to undertake it and was equal to the task, just in the same way as the late Government conferred upon Wales complete control of intermediate education."

By the 16th of July the President of the Board of Education had discovered that to do what he proposed in the Bill in order—

> "to give this complete control to Wales would be to have the Board of Education in an improper and dangerous position."

It was indeed difficult to keep pace with the many changes of Mr. Birrell's mind. He wanted to compare the powers asked for this Welsh Council under the Bill with the powers of the Welsh Central Board, so far as intermediate education was concerned. It was stated that Wales had absolute control in intermediate education. Let them see what had been done. He need not repeat the proposals with regard to the council for Wales. They were wide enough. It was to be independent of Parliamentary control, and it was to deal with large sums of public money free from all departmental control. The Welsh Board was an entirely different thing. It was largely academic in its character. Out of eighty members twenty-seven were appointed by academic institutions, and six were co-opted. There were therefore thirty-three members out of eighty who were not representative of local authorities. This central board was established under the Act of 1889, by a scheme of the Charity Commissioners. He would say one or two words in regard to the Welsh Intermediate Education Act, because he thought a great deal of misapprehension had taken possession of certain people who had considered the subject artificially. The Welsh Intermediate Education Act was substantially, not a municipal or constitutional change, but a purely educational measure primarily dealing with charitable trusts. In form the Act was almost entirely an Endowed Schools Act. It was enacted that—

> "It may be cited together with the 'Endowed Schools Act' as the 'Endowed Schools Acts, 1869–1889.'"

The Act did not establish any municipal bodies for intermediate education. Directly, it established no permanent bodies at all, but enabled temporary Joint Committees to meet and submit schemes to the Charity Commission, for the organisation of intermediate education in the Welsh counties. The permanent bodies which resulted were not, legally, municipal bodies at all, but bodies of trustees established under schemes of the Charity Commission. The Charity Commission reported annually to Parliament on the working of the Intermediate Education Act for Wales, and as to the work done by the central board. The payment of the grant was kept entirely in the hands of the central department. The Board of Education made their recommendations to the Treasury as to the payment or reduction of the grant, and the Treasury acted accordingly. It was true that some of the inspection for the purposes of the Inperial grant was conducted by the Central Welsh Board, but the Education Department inspected the schools. They checked, as well, everything the central board might bring to them before making their report to the Treasury. He might mention that the Board of Education inspectors inspected no less than eighty-nine out of ninety-five schools concerned. This central body, however, had no control whatever over the schools. It did not handle the the Imperial grants, which passed straight to the school authority from the Treasury. These were the facts as to the position of the central board for Wales. They could be found by any of their Lordships who looked into the documents dealing with the matter. Was it anything less than a gross misstatement of them to describe these provisions of the Welsh Intermediate Education Act as "conferring upon Wales complete control of intermediate education?" He suggested to their Lordships that Treasury control as provided in this clause was an absolutely inefficient control, and that the Welsh Intermediate

Education Act and the Central Welsh Board established no precedent whatever for the proposals for a Welsh Council in this Bill, but rather a precedent in the opposite direction.

As to what was proposed by the Bill there were one or two points which, perhaps, ought to be dealt with. The first one was the allegation that there was unanimity in Wales upon this question. The noble Earl, in speaking very shortly upon the Welsh part of the Bill, had said there was unanimity in Wales on the subject. He took some pains to reply to the noble Lord in the course of the debate. He did not complain that the noble Lord did not answer him, but if he did not repeat his arguments now, it was not because there was nothing to be said. If the subject was raised again to-night, he was perfectly prepared to go through the same story. There was no unanimity in Wales on the subject.

The other question was with reference to the consideration which was alleged to have been given by the late Government to the question of a central board for elementary education. It was alleged that the late Government were considering a general transfer of powers to a central board for elementary education. That had been denied over and over again. His friend, Sir William Anson, in another place had denied it. All that was done with regard to that was to consider whether certain powers exercised by local authorities should be transferred from those local authorities to a central authority. It was merely a suggestion as to exercising the local authorities' powers by a central board instead of by the local anthorities themselves. There was never, so far as he had heard, any suggestion whatever that there should be a delegation in any shape or form of the central powers from the central government, or from the central department, to this central board. He did not wish to delay their Lordships over this point unless he was challenged, and, if so, he would do his best to take up the challenge. It was enough to say that the only question considered by the late Government was the delegation to a central body under Clause 17 of the Act of 1902 of such powers as could be administered by any single authority.

There was another subject with which he must deal. Those who came to Parliament asking for such wide powers ought to come with clean hands. They should come to this discussion and bring up their request, able to show to Parliament that, in the powers they had had delegated to them, as far as local government was concerned, they had held a fair, right, and just course with regard to all those interests with which they had had to deal. What was the history of those who were pressing forward this claim? For three or four years past these persons had carried on an agitation throughout Wales to prevent the national schools from being fairly treated. They had underpaid the teachers, they had stinted the stationery of the schools, they had refused even the necessary fuel and coal for the fires in the schools. There was nothing too mean for them to stoop to if they could only strike at those whom they disliked—the denominational schools in Wales. He would not labour too many cases. There were many cases that might be quoted with respect to the action that had been taken at the beck and call of those persons under what had been called the Welsh revolt. He must give their Lordships one or two cases, otherwise he would be told that he had none to give. He quoted first the case of the county of Carmarthen. He took it because he could speak of it from personal knowledge. In that county the local education authority determined that they would properly enforce the Act of 1902, that they would treat all schools alike, that they would pay salaries to the teachers on the same level, and that they would not stint the schools and starve the children by refusing coal because they happened to be denominational schools. What happened? An agitation was at once taken in hand, headed by the President of the Board of Trade. The agitation took place at the instigation of that right hon. Gentleman in every parish in Carmarthenshire. Those who were the advocates of this clause coerced the local education committees, and threatened them with the loss of their seats if they did not join in what had been called the Welsh revolt. The county was flooded with intimidation, and he was in the hall and saw the gentlemen who were serving on the local education committees, who had been subjected to this coercion, come, one by one, and recant the promise they had made fairly to administer the Act. Under the coercion of this outside agitation they turned round and joined in the Welsh revolt. They had heard a great deal about trusting the local authorities. This was a nice way of trusting the local authorities. The leader of the party and those who worked with him came down, he deliberately said, and coerced the authorities into disobeying the law. The President of the Board of Trade had, perhaps, received his reward, and now they had the rest of his party coming and asking Parliament to give them their reward, assuming, he supposed, they had made it clear that fair dealing between different classes of children, parents, teachers, and schools could safely be left in their generous and kindly hands.

He would also instance the notable case of Swansea. In Swansea for something like eighteen months or more the local education authority had declined to treat the teachers fairly in denominational schools. They had refused to pay them what the Education Department had said was a proper and fair salary. They had succeeded in hanging up this matter for months, and some persons wondered how it was that they were so astute in the way they managed to evade the issue. He would tell their Lordships how that was done. What happened with regard to that was, he thought, pretty clear. In the year 1903 the present President of the Board of Trade made a speech in the country in which he described how easy it was to get round and evade the Act of 1902. He described how, when the local managers wanted something, the local education authority could put them off, and how when the Board of Education pressed them to carry out their duty they could act. The right hon. Gentleman used words something like these: "quite true they can send down a minute of a subject to be discussed, but there is nothing to compel the local education authority to put it first on the agenda of business, and his advice to them was to put it at the bottom, and possibly they would not reach it that day. They could treat it in the same way on another occasion." So the right hon. Gentleman described the process of dawdling, and the local authorities worked it out to perfection. Swansea local authority learned the lesson well. Let them remember who inculcated it. That went on not only in the time of the late Government, but also in the time of Mr. Birrell himself, who, to his credit be it said, pursued the same course that his predecessor had taken and insisted upon the local education authority carrying out their duty. Then there came about one of the strangest things which, in his short Parliamentary experience, he had ever come across. Just at the time when the President of the Board of Education was insisting on the local authority of Swansea doing its duty, the President of the Board of Trade went down to Cardiff and presided over a gathering at which the position of Swansea as between the local education authority and the Board of Education was discussed. A resolution was proposed urging the local authority to keep up its rebellion against the Board of Education. The President of the Board of Trade said he did not think he could quite second the motion, but, as chairman, he put it as against his colleague in the Cabinet. And that resolution, he was informed, was carried unanimously. Comment was needless. He did not trouble himself about the affairs of the happy family in the Cabinet. He had no doubt they would settle them themselves. What the result of this had been educationally, so far as the Board of Education was concerned, he could not say, but it was hardly credible that in face of an operation of that kind the steps taken by the Board of Education, through its President, could be revoked, though a rumour had reached him that that was not improbable. This was not a case of ignorant people not knowing what they were doing, and therefore evading the law. It was a deliberate attempt at encouraging, by forcing illegal operations on unwilling local authorities, a breach of duty, not by ignorant persons, but by a Cabinet Minister. Was it possible to suppose that, under these conditions they who lived in Wales could look for a moment and contemplate with any satisfaction and comfort to themselves, the prospect of elementary education being handed over, free from Parliamentary control, free of Ministerial responsibility, free of any iota of control by a Department of the State, and to say that, under those conditions, the children, the parents, the teachers, and the schools in South

Earl Cawdor.

Wales could ever hope for an atom of fair play?

He apologised for having kept their Lordships so long, but the story had to be told right through. He had endeavoured to condense it as far as he could. He objected to this clause because if it were passed he believed they would have taken an irretrievable step in the direction of Home Rule. That had always been the view of the President of the Board of Trade, who had never concealed that view, except when it chanced to suit his convenience. He would read an extract from a speech made by the right hon. Gentleman in 1895. The right hon. Gentleman said—

> "The only chance of accomplishing their legislative desires was by obtaining a measure of self-government for the four nationalities which constituted the United Kingdom. His argument, therefore, of placing self-government for Wales in the forefront of their programme was strengthened from day to day. In his humble opinion it was the duty of the Welsh leaders henceforth to force this policy into greater prominence."

Those were the words of the right hon. Gentleman in 1895. In January last, however, the President of the Board of Trade, oppressed no doubt with the cares and responsibilities of office, said—he (Lord Cawdor) spoke from memory—with reference to this clause—

> "Oh, get this clause in the Bill, get these powers for education, and then we shall get something more; we shall get an addition to the powers of complete control of elementary education; we shall get powers delegated to us from the Home Office, from the Board of Trade, and from the Local Government Board."

Did not this show that the right hon. Gentleman's speech of 1895 told a different tale from that told by the speeches of the same right hon. Gentleman to-day? The President of the Board of Trade was aiming by this clause, simply and solely, as he had told them frankly, at gaining a step in the direction of Home Rule for Wales. He (Earl Cawdor) opposed the clause because he was opposed to Home Rule. He was as much opposed to Home Rule by instalments as he was to the bringing of it forward openly and honestly before the country. He opposed the clause because he was certain that it was contrary to the best interests of education in Wales, contrary to the best interests of the people of Wales, and, therefore, without the slightest doubt and hesitation he asked their Lordships to reject this clause.

Amendment moved—

"To leave out Clause 26."—(*Earl Cawdor.*)

LORD RENDEL supported the retention of the clause because he believed it to be in the best interests of education in Wales. He thought it would be hardly becoming in him to take up the defence of the President of the Board of Trade. All he would venture to say was that he regretted that the noble Earl with his great influence in this House, and holding the position he did in Wales and the hearty respect of the great body of people there, should have concentrated his attack upon a Cabinet Minister, and had urged it as a reason for turning this clause ignominiously out of doors. He did not desire in any way to raise on this occasion any point that might lead to recrimination, but in justice to the people for whom he had so long laboured he was almost forced by the noble Earl to say something on that head. He would first refer to that which did not so immediately concern himself, but which, perhaps, their lordships would allow him to say a few words about. The objection of the noble Earl on this occasion, as on the Second Reading, was ostensibly, and no doubt sincerely, directed against what he alleged to be the ill-considered character of the clause; but surely something might be said, not merely for the amending powers of this House, which had been displayed in a very remarkable manner during the past three weeks, but also for the nature of the clause. It was not a clause which presented to this House a formulated scheme for the creation of a council of education in Wales; it was a clause which provided for an Order in Council for the establishment of such a scheme. Surely there was some difference between the two things. The House would have, and was entitled to have, an opportunity of considering the scheme when it was laid before the House. Though it was not his business to answer for Ministers, it was his business to speak for the people of Wales who were concerned in this clause, and he said it would be extremely hard on them if this House should refuse to accept the clause, or refuse to make an attempt to amend it, simply on the ground that it was an ill-considered clause.

EARL CAWDOR: I did not say so.

LORD RENDEL said the noble Earl gave his reasons. The noble Earl stated that he found no adequate Treasury control. No doubt there might be room for some further definition as to the way in which Parliament was to reserve control over the expenditure of the council, but there was one form of control given in this clause, which was an exceptional form, and that was that all expenditure of the council was to be regarded as part of the public accounts. That was evidence of sincerity, at any rate, on the part of the framers of the clause to bring the expenditure of the Welsh Council well within the purview of Parliament itself. The clause was regarded evidently by the noble Earl as though it were something like an instalment of Home Rule. Did not the noble Earl take a rather exaggerated view of the character of the clause? The noble Earl had spoken of the work of the Central Welsh Board with warm approbation, and he had denied that that Board furnished any precedent for the Council. That might be so, but this Council which was to be formed would be nothing more than a purely administrative educational body. It would have no political character. Its duties would be simply administrative. Though the Central Board might furnish no exact precedent, and the Council was to be formed on a more democratic basis, he ventured to suggest to their Lordships that to deal with this clause as though it was going to create anything like a political body, or anything more than an educational body, was not fairly to describe the clause. If it were understood in Wales how strictly and purely administrative this clause was, the effect would be perhaps to create some disappointment, especially after the speech of the noble Earl. The denominational schools, in respect of which the noble Earl spoke so warmly, were entirely safeguarded by this clause. He could see nothing in it on which they could base the objection that the clause was playing into the hands of a fire-brand-party in Wales, or seeking to capture the Church schools, or, in fact, going to do injustice to anybody. He suggested that the clause was nothing more than a fair development of the action of a Conservative Government, when it carried the Intermediate Education Bill for Wales in 1889. It fell to his lot to introduce that Bill into the other House, and he had charge of it through all its stages. When it passed the other House he placed it in the hands of the Conservative Government of the day, partly out of gratitude for the immense support given to the Bill not only by the Conservative Members for Wales, but by Sir William Hart-Dyke, Vice-President of the Council. The Cabinet of that time accepted the Bill, and passed it through this House, claiming credit for it in the Royal Speech on the adjournment. He asked noble Lords whether there was anything in the present clause which involved so great a departure as that to which the Conservative Government committed themselves in 1889 and rendered it reasonable that the clause should be flogged out of the House without any fair hearing, and after a speech of considerable passion which would not find an echo in Wales? He admitted the noble Earl had done justice to the Central Board, but he did not think he had done it quite in the sense in which it had been done by other distinguished Conservative Churchmen in Wales. He would only venture to detain their Lordships by one quotation. In an address on "Education, Primary and Secondary" at the Church Congress at Brighton in 1901, Mr. Pennant, a well-known Conservative Churchman in North Wales, and a Member of the Canterbury House of Laymen, said—

> "Education must not be made either the plaything or the bone of contention of political or religious bodies. What I have to tell you to-day is that the experiment in Wales has thoroughly answered in this respect, and has shown how harmonious co-operation may be effected. Then, I say, let it be extended to England with all reasonable speed."

The Intermediate Education Act was, to his mind, a measure harder upon the Churchmen of Wales than this measure would be. He saw no possibility of injustice being done to the Churchmen of Wales; but the Intermediate Education Act was undoubtedly a disendowment, and was therefore very unpalatable to the Church in Wales. The Welsh people had been set before the House as a people clamouring for Home Rule. He did not think anyone who knew the Welsh people would put that in the forefront. They had three distinct political aims—to release religion from State control, to establish a national and free system of education, and to carry temperance legislation. If they were to speak of Home Rule there was a recognition of it in the sense in which the noble Earl spoke of it in the treatment of Wales in 1889 in respect of education by a Conservative Government. They had something very like it in regard to temperance, and it would be a profound disappointment to them if for no visible reason, unless it were possibly that they were within measurable distance of disestablishment in Wales, they were to be flouted with ignominy in their desire for an extension of this power of co-ordinating their education. Welsh education in general was not on the footing that education was too often in England. It was pursued by the people as their own affair. There was no class in the matter. It could not be said of education in Wales that the elementary part was for the working folk, that secondary education was for the middle class, and that higher education was for a higher class. There was but one class in Wales with regard to education, and what the people above all things desired was to unify their education so as to build what they called an educational ladder. They had carried that so far as to have proof in abundance of the correctness of their instinct when they determined that the most valuable asset in Wales was the intelligence of the people, and that the greatest benefit to Wales was to give the opportunity of cultivating that intelligence. Next to their passionate regard for religion there was this passionate regard for education. The noble Earl has been very much affected by instances that had come to his personal knowledge of what he regarded as extremely unfair conduct in reference to elementary education and elementary teachers and to the local bodies in charge of denominational schools. But had the noble Earl praised where he could praise? The noble Earl had praised the Central Board, would he also not praise the colleges? It was a fact well known to the noble Earl that the higher education of Wales was started in 1872 by the humble people themselves. The money out of which was founded the college over which he had the honour to preside was raised from 60,000 subscribers at the start, and before the college was well in working order no less than 100,000 had subscribed to it. What had been the feature of higher education in Wales? Since it had been started by the people themselves, the first men they had asked to preside over their colleges had been in most cases distinguished Churchmen. The present president of the college of Bangor, Lord Kenyon, he was extremely sorry not to see in his place this evening. He was sure if Lord Kenyon were present he would testify to the absence of all party and sectarian feeling in the conduct of higher education in Wales. He was sure, too, Lord Plymouth would say nothing but praise of higher education in Wales. If they had in higher and intermediate education evidence that when Wales was ready to manage her own affairs party and sectarian differences disappeared, was it not reasonable that the Welsh people should hope that if allowed a further and larger power of administration in regard to elementary education, in a similiar way sectarian and party differences might disappear? He was not going into any question involving recrimination, but the noble Earl had mentioned cases which struck him deeply of injustice with regard to Church schools in Wales. He would describe to their Lordships the position of the Church schools in Wales. In the first place they all knew that the Welsh people had been called, not unreasonably, a nation of Nonconformists. The upper classes were, no doubt, very largely Church of England, but certainly of the people who sent their children to elementary schools the vast majority were Nonconformists. Lord Stanley, in the course of the debate some days ago, mentioned a Church school within his own knowledge where every child was the child of Nonconformist parents That school, no doubt, was only protected by the conscience clause, not a very strong protection. How stood the case with regard to Church schools in Wales? There were 677 Church schools, but what was singular about it was that 553 of this number were in rural areas, and, still more strange, 307 were in single school areas. It was hardly necessary to say that the great majority of the children in those single school areas were of Nonconformist parents, yet they were compelled to go to Church schools. Was it not a little hard upon Wales? Wales, he thought, had a considerable grievance in this matter. A great deal of the debate had, of late, turned on the sacred right of parents. How were they to reconcile a state of things under which there were hundreds of schools in Wales, even in single school areas, where the majority of the children were of Nonconformist parents and yet the State compelled them to go to Church schools? He did not wish to recriminate at all, but he wished to say that these grievances had entered into the souls of many thousands of honest men and women in Wales, as he well knew, but they were willing to put those grievances aside and come to terms, because all that they desired was peace. They undoubtedly had looked to this Council as a means of providing that peace. The noble Earl had referred to the President of the Board of Trade with unusual warmth; but when the proposal of the Government to give Wales a Council for unifying education was first known, the Conservative Lord Mayor of Cardiff, with the Conservative Town Council behind him, summoned a meeting which was not only attended by the President of the Board of Trade, but also by three of the Welsh Bishops. There was a deliberate and sincere attempt to come to some kind of agreement, and if his experience of the feeling of the Welsh people—he admitted it was somewhat obsolete, but it was close and strong for many years—was worth anything it came to this, that just as he handled the Intermediate Education Bill, brought Conservatives to help him, and gladly gave it over to a Conservative Government, so that spirit animated Wales to this day; and if their Lordships would only allow this clause to appear in some form in the Bill they would, he believed, go very far towards removing a difference which otherwise would be accentuated, and just at the most unfortunate moment when they had before them a measure for Welsh disestablishment.

The LORD BISHOP OF ST. DAVID'S said he had listened with great satisfaction and sympathy to the warm and just praise which the noble Lord who had just sat down had given to the Welsh people for their passionate devotion to education, and in response to what he had said, he, as a Welsh Bishop, expressed his sincere appreciation of the excellent work done by the Welsh University Colleges, and not less by the rest of the colleges, over one of which the noble Lord so ably and generously presided. The noble Lord had referred to it as a singular thing that there were so many Church schools in Wales. He would have thought that the noble Lord, in the course of his inquiries, might have discovered that the reason was that the Church in Wales had been the pioneer of education, and had built schools before the State considered the elementary education of the poor to be worth a brass farthing. As regarded the noble Lord's statistics, he remembered very well that the hon. Member for East Carmarthenshire, not very long ago, was under the impression that there were only 10 per cent. of children of Anglican parents in Church schools in Wales, but he had made careful inquiries and could assure their Lordships that the percentage was over 40. This was rather wide, he thought, of the particular proposition before their Lordships at present. He desired to support the proposition of the noble Earl, to whom he tendered his sincere thanks for the able and frank manner in which he had handled this matter. The noble Lord who followed him had spoken rather from the point of view of Welsh education, and he also desired mainly to criticise this clause from that point of view. The noble Lord had referred to a certain conference held last March at Cardiff, convened by the partriotic Lord Mayor of that city, and at which he had the honour of being present. It was not without considerable hesitation that he accepted the invitation to attend, for he could not forget what had happened in Wales during the previous three years, and that the promoters of this Council were also the promoters of what was called the Welsh revolt. On the other hand, he had to consider carefully and respectfully a remarkable and eloquent speech which had been made by the President of the Board of Trade at the banquet given in his honour by the Mayor of Cardiff, where the suggestion that this conference should be held was first made. On that occasion the right hon. Gentleman spoke with great significance of the character of the Education Bill now before Parliament. Of course the Bill had not then been introduced. The right hon.

Gentleman said that he thought it was going to be a better Bill than either party feared. He had studied very closely the admirable utterances of the Minister for Education, and he was rather disposed to hope that the reference of the President of the Board of Trade meant that he agreed with the Minister for Education that the Bill to be brought forward was to be founded on justice. On that occasion the President of the Board of Trade went on to refer to the proposed Council for Wales, and he said—

> "He was not referring to anything controversial but to something which they could get, which would not, in the slightest degree, impinge upon the conscience of anybody, would not interfere with the controversies which were filling the air and which were confronting them at the present moment."

As he was sincerely desirous to do anything he could to promote the goodwill all round in Wales he felt he could not decline the invitation of the Lord Mayor of Cardiff, and so he attended the conference. A resolution was unanimously passed at that conference which he was glad to support. It said—

> "That this Conference is of opinion that it is expedient to create a council in Wales representing Welsh education authorities which shall have power to supply, or aid the supply of, education of all kinds in Wales and Monmouthshire."

The expression "Council in Wales" was an ambiguous term, and he construed it then, as he thought he was perfectly entitled to do, as it had been construed in connection with the Welsh Intermediate Education Act. It was true he thought the wording of the resolution rather wide, and that it might take them a long way; but Mr. Brynmor Jones, the learned and able official interpreter of the resolution before that meeting, had assured them that by these words it was intended to mean the establishment of additional training colleges and matters of that kind. Therefore he came to the conclusion that he ought to go, so far as he possibly could, with the members of the conference, who had impressed him very much by their conciliatory language. When he read an article in the *Contemporary Review* by Lord Stanley of Alderley, he did not think he could have supported that resolution, for the noble Lord, with his unique authority, put a very different construction upon the words "power to supply, or aid the supply of, education of all kinds in Wales." He thought so far as the conference in Cardiff was concerned he was correct in saying that the kind of unanimity displayed was most happily and wittily described by the President of the Board of Trade upon that occasion. The right hon. Gentleman said—

> "So long as they talked of general principles and talked in the air it was wonderful how they agreed. It was when they came to reduce their agreements to practical form that criticism came from every point of view."

He was sorry to say that when the Bill appeared and was discussed on Second Reading in another place, he came to the conclusion that he had been much too sanguine in his interpretation of the patriotic words which the right hon. Gentleman had used at the Lord Mayor's banquet at Cardiff. Reference had been made in another place to a subsequent meeting at Llandudno. The latter meeting was not a conference. It was a drafting committee appointed by the Cardiff conference in March. The Lord Mayor of Cardiff did him the honour to ask him to take steps to get Members of their Lordships' House connected with Wales to appoint, as had been arranged, three representatives upon that drafting committee, but he was sorry to say the character of the Bill, and particularly the speech delivered by the President of the Board of Trade on the Second Reading, in which he used the unfortunate phrase "Clericalism is the enemy," stood in the way of the suggestion being carried out. Two arguments had been urged in favour of this clause as it stood. The first argument was the unanimity of the people of Wales, or, he should say, the supposed unanimity of the people of Wales, and the next was the success of the Central Welsh Board. He endorsed most cordially what had been said as to the excellent work of the Central Welsh Board. He did so with especial satisfaction because he had a good deal to do with the foundation of that Board. He had the honour of serving on the committee which drafted the scheme, and he was never sorry for the part he had taken in the matter, and was very glad when anyone spoke well of the Central Welsh Board. He was surprised, however, when the success of the Central Welsh Board was made an argument in favour of this particular clause, because he would have thought that the success of that Board was an argument in favour of allowing it to succeed further, but this clause summarily knocked the Central Welsh Board on the head. Instead of enlarging its functions and continuing the policy which founded the Board, the clause destroyed it and started a new thing altogether without any particular connection with it. He had asked himself why this proposal for a Council in Wales should take this particular form. He was not speaking now from the constitutional standpoint, but from the point of view of Welsh education in regard to this revolutionary proposal. The Welsh Board at present had the great advantage of having as its chairman a Welsh Nonconformist Liberal. in whom everyone, including himself, had confidence, and it had for its vice-chairman the noble Lord whose assistance in this debate had been of such service to the House, Lord Stanley of Alderley. He would have thought that with such a chairman and vice-chairman it would have been far the wisest thing in the interests of Welsh education, pure and simple, to have taken that board as a basis and made the necessary modifications, instead of starting this brand new constitution. He did not think that the promoters of this Welsh Council had done justice enough to the great work done by the Central Welsh Board. On the Central Welsh Board there was a large academic element. There were five representatives of elementary teachers, five representatives of intermediate teachers, and representatives of each of the colleges and the University Court. Welsh education was deeply indebted to the solid work done by these members of the Central Welsh Board There was no provision in the clause now before their Lordships for the proper recognition of specialists upon education. In this scheme, which was the correlative of the clause before their Lordships, a consultative committee was provided for, but he did not think it was the way to obtain the best specialised advisers. He was pleased to hear the noble Lord the other might state that the proper proportion of experts should be one in three; he thought that was a very wise suggestion. In the present Welsh Board the academic element was overweighted, while the councillor element was underweighted, but by adding another twenty councillors the proper proportion would be obtained. There were to be forty-seven representatives of Welsh councils, and as far as he could make out eighteen of them represented the two great populous and industrial counties of Glamorganshire and Monmouthshire. He thought that was rather too small a proportion for those two very important counties, in which he believed more than half the population of Wales lived. In the scheme which was now before their Lordships an actual majority was given to those two counties. Therefore he desired to associate himself entirely with Lord Stanley of Alderley when he said—

> "I am not prepared to assent to the whole of the powers of the existing county councils being held on sufferance by a new council in which the populous districts of South Wales will outvote overwhelmingly the sparse rural population of North Wales, where difficulties of access will make it hard for representatives to attend the council meetings."

He had two broad criticisms to make which cut deep into the proposed constitution of this council. In the first place, the representation of the county councils was so arranged as to make it impossible, in his humble opinion, for the new council to be in any real sense a Welsh national council. In the second place, as one who had taken great interest in education in Wales, and as one who would yield to no man in his sincere desire for the progress of Welsh education, he objected to the position of the experts under this scheme. Two criticisms had been made in regard to the functions of the proposed council. If they looked at the clause they would find that the control of the Treasury was provided for. Earl Cawdor had already pointed out how ineffective that control was from a financial point of view. In his opinion it was even more ineffective and utterly absurd from an educational point of view. He was glad to find from what had been said by Mr. Birrell that the Board of Education were showing more and more sympathy with regard to the special needs of education in Wales. Only yesterday Mr. Birrell gave a very sympathetic answer to a deputation with regard to the teaching of the Welsh language in the schools. He had yet to learn that there was any difficulty in such matters under the control of the Board of Education. The main part of education in Wales was common, and in order to pay more attention to the special side of Welsh education, they did not need to deprive themselves of the large benefits which they now derived from the great educational experience, the information, and he would also add the high tone of administration of the present Board of Education. In the *Contemporary Review* Lord Stanley of Alderley severely criticised these proposals from the point of view of the local education authorities. He went so far as to say that the powers of many of the county councils of Wales would be held under this clause on sufferance, and he said—

> "This clause is too wide and indefinite. It is not wise to give unlimited powers merely in the hope that they will not be abused. No doubt the new authority will not take all the powers conferred upon it, but it will have the existing counties at its mercy and those counties will probably lose all control over the secondary schools."

He was intensely amazed that so weighty a criticism passed publicly by one of the ablest supporters of His Majesty's Government upon this clause in the *Contemporary Review* for May last did not seem to have made any impression upon those in charge of the Bill. He was not aware that any modification in this clause had been made on account of that weighty criticism. He objected to the constitution of this council on the two grounds he had specified, and in the interests of Welsh education he should support the proposal made by the noble Lord. He would no doubt be asked, "Will the people of Wales not be disappointed by the rejection of this clause, and will you not be doing more harm than good?" He thought not. He had not come to that conclusion hurriedly. The worst of this clause was that it really had never been properly considered, and the real difficulties and problems had never been properly faced. He wished to take their Lordships back for one moment. In 1905, when this question had been before the country for a year, the Board of Education put some very important questions to the local authorities in Wales, and after waiting for six months only one of those authorities answered the questions. Therefore he was justified in saying that the proposals contained in this clause had never been considered in a business-like way by the councils of Wales. The clause had not been considered by a single Welsh council. The proposal had not been considered by the Central Welsh Board, by the council of any University college or University court. If the clause were passed it would not do good but harm to education in Wales, and in expressing that opinion he claimed to speak, not merely as a Churchman, but also in the name of many faithful Liberal Nonconformists. The clause would bring secondary education in Wales into the sphere of controversy, and they would spoil it by mixing it up with elementary education. The meeting at Cardiff which had been referred to showed that it would be wise to wait a little longer before they set up such a council in Wales. Speaking sincerely, and looking at the question impartially, he had no hesitation in saying that if this clause passed their Lordship's House it would do not good but harm to education in Wales.

THE EARL OF DUNRAVEN wished to explain why he was not able to support his noble friend who had moved the rejection of this clause. He rose to some extent to ask for information. His noble friend passed over the question of unanimity of opinion in Wales upon this question, probably because it had been dealt with before on the Second Reading of the Bill. He did not think that anybody had ever claimed that there was absolute unanimity of opinion in Wales upon the matter. The right rev. Prelate who had just sat down appeared to have voted for a resolution at Cardiff of which he did not quite approve or of which he had since disapproved.

THE LORD BISHOP OF ST. DAVID'S said he approved of the resolution, but not the interpretation put upon it by Lord Stanley of Alderley.

THE EARL OF DUNRAVEN said that, at any rate, there was a very strong expression of opinion at the Cardiff conference, and it would be admitted that the meeting was of a representative character. It was composed of representative men of both political Parties, Churchmen and representative Nonconformists attended the conference, and they passed unanimously a resolution to the effect that it was expedient that a council should be established for Wales representative of the educational authorities, and then it went on with the exact words of the Bill, that it "should have power to supply and to aid the supply of education of all kinds in Wales." In view of that resolution he did not think it would be denied by anybody that there was a very strong expression of opinion on the part of representative men of both political Parties in favour of what appeared to him to be the very principle embodied in this clause. He confessed that he did not share the terror which Lord Cawdor entertained as to what the effect of the action of this new council would be. He did not set himself up as an authority competing with his noble friend as to public feeling in Wales, but the noble Lord was not the only man who lived in Wales, and he confessed that he would not entertain such very vivid fears even if this clause was not overburdened with all kinds of safeguards. Nobody had mentioned what those safeguards were. Certain powers were proposed to be handed over to the new council by the Board of Education, but at the same time the Board of Education kept certain very important matters in its own hands. Here were some of the powers reserved to the Board of Education:—

> "(*a*) Any appeal to the Board of Education, and the determination of any question under this Act, except where the contrary is specially provided in this Act;
>
> "(*b*) The power of determining whether any transferred voluntary school shall be discontinued or not;
>
> "(*c*) The regulation and control of State-aided schools; and
>
> "(*d*) All powers and duties of the Board of Education under the Charitable Trusts Acts, 1883 to 1894, and the Endowed Schools Acts, 1869 to 1889."

Those were very important reservations, and if the fears which his noble friend entertained as to the sort of action the council would take were well-founded, it seemed to him that in the most important matters dealt with in the Bill the Board of Education reserved controlling power to itself. Then his noble friend objected to the clause because there was no control over the actions of the Council by the Treasury.

EARL CAWDOR: No Parliamentary control.

THE EARL OF DUNRAVEN said his experience of the Treasury was that even when it was not specially authorised it did exercise an extraordinary amount of control. Certain administrative powers were to be given to this new Council, but they were to be exercised subject to the control of the Treasury. As a matter of fact the control of the Treasury would prove to be exceedingly effective. Besides that, the accounts of the council had to be audited by the Auditor-General, and whether the expenditure was made up of grants from Parliament or any other public money he would have to audit the accounts, and he presumed that they would have to come before the Public Accounts Committee of the House of Commons in the ordinary way. Under those circumstances he thought it was rather an exaggeration to say that the powers to be handed over to the Council were completely free from any effective control by the Treasury and were removed from the purview of Parliament. He did not set himself up as an educational expert, but the educational advantages to be gained in Wales by tightening the links of the chain connecting lower with higher education, and bringing it all under one body capable of dealing as a whole with the subject of education from primary to University, seemed to him to be enormous, and he was bound to say that he could not see anything in this clause of a character so objectionable as to render him blind to those great advantages. He could not help thinking that perhaps the most important part of his noble friend's speech lay in the postscript in which he alluded to Home Rule. He said that this clause was the first step towards Home Rule. He did not know what his noble friend's definition of Home Rule might be, but the ordinary definition of Home Rule, as applied to Ireland, was the setting up of an independent Parliament. Were their Lordships being seriously asked to reject this clause because it contained anything approximating to Home Rule in the remotest degree? He was not going to argue the question of Home Rule, because the only power which this Council was to have was in reference to the expenditure of £700,000 or £800,000 a year subject to the control of the Treasury. It had absolutely no legislative functions whatever, and yet their Lordships were asked to reject the clause because it was the same thing as setting up an independent Parliament for Ireland. He hoped their Lordships would judge this proposal on its own merits, and not be led away by such arguments as had been put forward in support of the rejection of this clause.

House resumed, and to be again in Committee to-morrow.

BUSINESS OF THE HOUSE.

*THE MARQUESS OF LANSDOWNE: Can the noble Marquess give us any idea as to the business that will be before the House next week?

*THE MARQUESS OF RIPON: We hope to end the Committee Stage of the Education Bill to-morrow. I understand that to-morrow, before the House rises, the Merchant Shipping Bill will be sent up to us, and I propose that it shall be read a first time to-morrow in the usual way, and that the Second Reading should be taken on Tuesday next. I believe by that time the Bill will be printed and will be in the hands of your Lordships. It is not a Bill that has excited much controversy. I propose that the Report Stage of the Education Bill shall be taken on Thursday next.

THE MARQUESS OF LANSDOWNE: Does the noble Marquess propose to take the Merchant Shipping Bill on Wednesday?

*THE MARQUESS OF RIPON: If the House is willing to go into Committee on Wednesday it will be a vacant day, and the Government will be glad to take that course. That is a question which I will leave in the hands of the House until we see how the Merchant Shipping Bill is received. Personally, I shall be very glad to get on with any of these Bills.

BLAIRGOWRIE, RATTRAY, AND DISTRICT WATER ORDER CONFIRMATION BILL.

Brought from the Commons; read 1ª; and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899) deemed to have been read 2ª—(*The Lord Hamilton of Dalzell*); and reported from the Committee.

House adjourned at ten minutes past Eleven o'clock, till To-morrow, a quarter past Four o'clock.

HOUSE OF COMMONS.

Wednesday, 21*st November*, 1906.

The House met at a quarter before Three of the clock.

PETITIONS.

SCOTTISH COAST FISHERIES (DEVELOPMENT).

Petition from the Free Church of Scotland, for inquiry by a Royal Commission; to lie upon the Table.

RETURNS, REPORTS, ETC.

SCIENTIFIC SOCIETIES (GOVERNMENT GRANTS).

Return [presented 20th November] to be printed. [No. 358.]

LONDON (EQUALISATION OF RATES) ACT, 1894 (ACCOUNTS UNDER SECTION 1 (7) OF THE ACT).

Return ordered, "showing, according to the accounts for the twelve months preceding the 31st day of March, 1906, furnished to the Local Government Board under Section 1 (7) of The London (Equalisation of Rates) Act, 1894:—(1) The amounts paid during the year out of the Equalisation Fund under the Act to the Corporation of the City of London and each of the Councils of the Metropolitan Boroughs to whom payments out of the fund were made; (2) The amount of the expenses incurred during the year by each of these authorities (a) under The Public Health (London) Act, 1891 (including expenses of scavenging streets); (b) in respect of lighting; and (c) in respect of streets (other than the expenses of scavening); and (3) The amount expended during the year by each such authority out of the sums received by them under the Act (in continuation of Parliamentary Paper, No. 277, of Session 1905)."—(*Mr. Runciman.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Royal Marines—Privilege of Wearing Plain Clothes.

SIR JOHN BENN (Devonport): To ask the Secretary to the Admiralty whether he will concede to the Royal Marines and Artillery the privilege of wearing private clothes when off duty outside barracks which is already granted to the commanding officers of infantry battalions.

(*Answered by Mr. Edmund Robertson.*) The privilege of wearing plain clothes, as defined in paragraph 1955 of the King's Regulations for the Army, 1904, was extended, in August, 1902, by the authority of the Admiralty to non-commissioned officers and men of the Royal Marines while serving at the various marine depots. It is not proposed to extend this privilege to marines employed at naval barracks, who are borne on ships' books and consequently are not subject to the Army Act.

Overseers and Senior Telegraphists at Central Telegraph Office—Vacant Appointments.

MR. GODDARD CLARK (Camberwell, Peckham): To ask the Postmaster-General if he can state the cause of the delay in filling up a number of appointments now vacant in the class of overseers and senior telegraphists at the Central Telegraph Office.

(*Answered by Mr. Sydney Buxton.*) The appointments to which the hon. Member refers are not yet formally vacant, the retirement of the officers filling them at present having as yet not been finally authorised by the Treasury, but I hope soon to be in a position to make the appointments.

Irish National Education—Junior Assistant Mistresses and Kindergarten Training.

MR. JOHN O'CONNOR (Kildare, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Commissioners of National Education in Ireland have recommended in their recent Report that means should be provided of giving junior assistant mistresses appointed since 1st July, 1906, suitable training in kindergarten and object lessons, and have submitted proposals for giving effect to such recommendation; if so, how many junior assistant mistresses have been appointed since last July; has any provision been made for their training in kindergarten methods; if no such provision has been made what is the cause of the delay; and will the carrying out of the recommendations of the Commissioners be expedited.

(*Answered by Mr. Bryce.*) The fact is as stated in the first part of the Question. The Commissioners inform me that, since 1st July, 1906, 474 junior assistant mistresses have been appointed. No provision has yet been made for their training in kindergarten methods, but the Commissioners have submitted proposals upon the subject. These proposals have called for much consideration, but I hope that there will be no undue delay in arriving at a conclusion in the matter.

District Railway Fares.

MR. CLAUDE HAY (Shoreditch, Hoxton): To ask the President of the Board of Trade whether, having regard to the fact that numbers of working people are compelled to use the District Railway daily to reach their places of business, and that the increased fares now charged by the District Railway Company impose a burden upon their weekly earnings, he will accede to the request of the East Ham and District Workmen's Trains Committee for an interview, with a view to action being taken to restore the fares to the rates at which they were fixed when these people were induced to pay the rents of the houses they now occupy.

(*Answered by Mr. Lloyd-George.*) Yes, Sir. The secretary to the committee in question has been in communication with me, and a few days ago I wrote suggesting a date for an interview.

Purchase of the O'Connell and Huddleston Estates, County Cork.

MR. FLYNN (Cork, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland in reference to the O'Connell and Huddleston estate, Farrankeal, Knocknagree, county Cork, whether application has been made by the representatives of the landlords or by the tenants to the Estates Commissioners for the purchase of this estate; and, if so, with what result; and if the intervention of the Commissioners, with a view to effect a settlement, be requested will they send their inspector to investigate and report concerning this property.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they are unable to trace the receipt of any application by the landlord or tenants in respect of the estates mentioned in the Question If the latter part of the Question is intended to refer to the possible action of the Estates Commissioners as conciliators under Section 8 of the Regulation of 1906, the Commissioners will, I have no doubt, give due consideration to any application which may be made to them in the matter.

Reinstatement of Mrs. Kate Scanlan on the Blacker Douglas Estate, County Kerry.

MR. O'SHAUGHNESSY (Limerick, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say whether, before the completion of the sale of the Blacker Douglas estate in North Kerry to the tenants, the Estates Commissioners will take steps to have Mrs. Kate Scanlan, an evicted tenant on the property, reinstated.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that Mrs. Scanlan's application for reinstatement has been inquired into by one of their inspectors, whose report is at present under the consideration of the Commissioners.

Dog Stamps.

MR. MCKILLOP (Armagh, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether four pounds twelve shillings worth of dog stamps was returned by Mr. Barrett, Clerk of the Petty Session of Holyrood, Bangor, and Newtownbreda, voluntarily, and at the proper time for making such return, or only after being communicated with by the Registrar of Petty Sessions Clerks or other authority; and what proportion of the licences, in which more than one dog was included, were found to be insufficiently stamped and the stamps returned to the Registrar.

(*Answered by Mr. Bryce.*) The Registrar of Petty Sessions Clerks informs me that the clerk in question returned the dog stamps referred to in the Question before any communication had been received that some licences had not been properly stamped. The Registrar is not aware how many dog licences were issued with insufficient stamps, but the number of stamps placed on the licences is not the check employed upon the clerk's accounts of dog licences issued. Every clerk is charged 2s. for each dog licence issued, as shown in the register of dog licences, independently of the stamps used.

Colonial Survey Committee.

SIR CHARLES DILKE (Gloucestershire, Forest of Dean): To ask the Secretary to the Treasury whether he will state the distribution of the charge of preparing the Annual Report of the Colonial Survey Committee with its important maps.

(*Answered by Mr. McKenna.*) The total cost of this service amounts approximately to £53, of which £22 for ordinary printing, etc., forms a charge on the Stationery Office Vote, the balance being borne by Army Votes in respect of the drawing and printing of plates by the War Office.

Railway Construction—Interest Payments.

MR. HYDE (Wednesbury): To ask the President of the Board of Trade whether in view of the impending deposit of Railway Bills for next session, he is now in a position to say whether he is prepared to propose the alteration of Standing Order 167, sub-section 1, so as to permit the payment of interest by railway companies out of capital during construction at a rate of not exceeding 4 per cent. in lieu of the present rate of not exceeding 3 per cent.

(*Answered by Mr. Lloyd-George.*) I have communicated with the Chairman of Ways and Means, with whom rests in practice the moving of Amendments of the Standing Orders for Private Business. The Chairman informs me that he has conferred on this subject with the Chairman of Committees of the House of Lords, and that he intends, with the concurrence of the Lord Chairman, to propose such an alteration of Standing Order 167 as is suggested in the Question, but is doubtful whether, in view of the state of public business, a fitting opportunity can be found for a discussion of the proposal during the present sittings. The promoters of Railway Bills for next session would not be justified in anticipating the decision of either House on the proposal.

New Railway Commissioner's Salary.

VISCOUNT CASTLEREAGH (Maidstone): To ask the President of the Board of Trade what is the salary proposed to be paid to Sir James Woodhouse for his services as Railway Commissioner; and whether a Supplementary Estimate will be required during 1906–7.

(*Answered by Mr. Lloyd-George.*) The salary is to be £3,000. No Supplementary Estimate will be required.

Technological Institute.

MR. MASSIE (Wiltshire, Cricklade): To ask the President of the Board of Education whether, in arranging the governing body for the new Technological Institute at South Kensington, he will secure representative public control and management greater rather than less than that which at present exists in regard to some of the constituent colleges.

(*Answered by Mr. Birrell.*) The negotiations in regard to the establishment of the new Technological Institution and the work of the Royal College of Science and School of Mines have not yet reached a sufficiently definite stage for any announcement to be made with advantage as regards the nature of its management. The point referred to by the hon. Member will not be lost sight of.

Expense of Training Midwives.

MR. W. HOPE (Somersetshire, N.): To ask the President of the Local Government Board whether the Board have formed the opinion that it is illegal for county councils to pay for the training of midwives either out of the county fund or out of the funds set apart for the purposes of higher education; and, if so, on what grounds.

(*Answered by Mr. John Burns.*) It would seem to the Local Government Board to be competent for a county council to incur expenditure for this purpose in exercise of the powers conferred on them by Section 2 of the Education Act, 1902, if, after consultation with the Board of Education, it appeared to them desirable to do so. But they are not aware of any legal authority which would enable a county council to incur any such expenditure apart from these powers.

Clerks to Surveyors of Taxes.

MR. WATT (Glasgow, College): To ask Mr. Chancellor of the Exchequer whether he is aware that the clerks to surveyors of taxes are now the only large body of men employed in Government offices in the capacity of clerks who are not on the establishment; and, seeing that in nearly all the districts of the United Kingdom these clerks check most of and register all new claims for repayment of income-tax, interview the public, and instruct them in the filling up of these claims and in the making of their returns and appeals, whether he will take steps to place them on the establishment.

(*Answered by Mr. Asquith.*) The routine work in connection with claims for repayment and the other matters mentioned in the Question is preformed by the clerks. If a taxpayer calls at a surveyor's office the clerk will ask him his business and, if the matter is a trivial one, will give the information required, but the surveyor himself deals with all points of importance. As regards the question of placing the clerks on the establishment, I can add nothing to the numerous replies already given on the subject by my hon. friend the Secretary to the Treasury and myself.

Pay of Colour Sergeants of Militia Battalions.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Secretary of State for War if his attention has been directed to the fact that colour sergeants serving on the staff of Militia battalions in the Infantry receive a lower rate of pay than colour sergeants serving with Line battalions, and does this rule prevail as to Artillery colour sergeants under like circumstances; and whether, seeing that Infantry colour sergeants are posted to Militia staffs for long service and good conduct, and that their duties on the Militia staff are at least as onerous and responsible as in Line battalions, he will consider the question of making their pay equal to Line colour sergeants.

(*Answered by Mr. Secretary Haldane.*) The relative position, as regards the total emoluments between Line and Militia colour sergeants, remains unchanged. Before the issue of the amendment to the Royal Warrant in February last, colour sergeants of Infantry and Militia battalions drew the same amount of pay, viz.: 3s. a day, but the Line colour sergeants, on account of their also performing the duty of keeping the company accounts, receive 1s. a day extra duty pay. When the compilation of the company pay list was transferred to the Army Accounts Department the extra duty pay was reduced, 6d. a day only being allowed for keeping the pay and mess book. As, however, it had for some time been considered that the ordinary pay of colour sergeant of a Line battalion was inadequate, the rate was raised from 3s. to 3s. 6d. a day. It is not considered that the duties of a Militia colour sergeant are as onerous and responsible as those of a Line colour sergeant, and it is not proposed to make any alteration in the pay of the former. In the Artillery, the company sergeant major, who holds the equivalent position to a colour sergeant of Infantry, is not charged with pay duties and receives the same pay whether serving with the Militia or Regular Army.

QUESTIONS IN THE HOUSE.

VISCOUNT TURNOUR (Sussex, Horsham): I beg to ask the Secretary to the Admiralty the reason for the delays in issuing the Return of Naval Expenditure of the Powers granted on the Motion of the hon. Member for Leicester.

*THE SECRETARY TO THE ADMIRALTY (Mr. EDMUND ROBERTSON, Dundee): This is a very complicated and voluminous Return, and there has been no delay in its preparation other than that attributable to the scope and complexity of its contents.

VISCOUNT TURNOUR: Can the right hon. Gentleman say at what date it may be expected?

*MR. EDMUND ROBERTSON: No, Sir, I cannot.

The Coast Guard.

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Secretary to the Admiralty whether it is proposed to reduce or abolish the present Coast Guard force.

*MR. EDMUND ROBERTSON: The Admiralty have had under consideration the heavy expenditure falling upon Navy Votes in connection with the maintenance of the buildings and personnel of the Coast Guard service, and in view of the large proportion of this expenditure which is necessary solely for revenue purposes, an inter-departmental conference is now being held to consider whether any modification could be made in the present system of revenue protection, with a view to reducing the burden falling upon Navy Votes. Pending the conclusion of this conference, it is not possible for me to anticipate the nature of its Report. I may, however, add that it has been found necessary during the last two years to close seventy out of a total of 750 Coast Guard stations. These were in all cases stations where new buildings or large repairs would have been necessary for their further maintenance, and where the duties could be otherwise provided for or were of slight importance.

Volunteer Camps.

*MR. McCRAE (Edinburgh, E.): I beg to ask the Secretary of State for War if he can state the amount of the saving in expenditure which will result on the reduction of the Volunteer camp training from fifteen days to eight days of those battalions serving in the Field Army brigades.

THE SECRETARY OF STATE FOR WAR (Mr. HALDANE, Haddington): The Answer to the Question of my hon. friend is that the saving in expenditure will be £58,000. But it is not a question of saving money. I agree that fifteen days camps are much more valuable than eight days camps, and I hope in future to be able to provide something of the sort for the Volunteer Force as a whole. My difficulty is that the differential treatment of the Field Army Brigades having ceased to be justified with the extinction of these brigades, and the Volunteer Force being all now upon the same footing as regard the title to these camps, I cannot justify differential treatment of individual battalions. Moreover, the change is only a temporary one for next year, my hope being that Parliament will assent to a reorganisation which will put the whole of the Volunteer forces, without differentiation, on a much better footing.

*MR. McCRAE: Will the right hon. Gentleman before coming to a final decision for next year receive a deputation of commanding officers on the point?

MR. HALDANE was understood to reply that that was unnecessary.

Army Reservists' Pensions.

SIR ROPERT ROPNER (Stockton): I beg to ask the Secretary of State for War whether he has now decided to recommend to the Army Council that the pensions of the Army reservists shall in future be paid weekly instead of quarterly.

MR. HALDANE: I have nothing to add to the Answer which I gave to my hon. friend the Member for the High Peak Division of Derbyshire on the 7th instant.† The Committee has already begun to sit.

Royal Arsenal, Woolwich.

MR. CROOKS (Woolwich): I beg to ask the Secretary of State for War if he can undertake to give an assurance that the number of workmen employed in the Woolwich Arsenal shall not fall, on a peace basis, below a certain number; and, if so, can he say if that number has been nearly, or quite, reached.

MR. HALDANE: It is my intention, if investigations which I have now set on foot show it to be possible, to fix whenever practicable a minimum establishment under which in ordinary circumstances the number of those employed should not fall for, at any rate, a definite period. My hon. friend will realise that the most careful inquiry is essential before further details can be given.

MR. WALTERS (Sheffield, Brightside) asked whether such an arrangement would involve any change in the proportion of orders previously allowed to private firms and upon which the daily bread of a large number of workmen exclusively employed in Government work entirely depended.

MR. HALDANE: Only to this extent, that a minimum of that kind must necessarily be fixed low. It is essential that we should keep these establishments capable of expanding in time of war. We cannot go below a certain minimum, but the minimum is a low one, and I do not think it will interfere with private contractors.

MR. WALTERS: But is it not the fact that many private firms have laid down plant that can only be utilised for Government contracts?

MR. CROOKS: And they charge 300 per cent. above market prices in times of emergency.

The Scots Greys.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.): I beg to ask the Secretary of State for War whether he is aware that the proposed removal of the headquarters of the Scots Greys from Scotland to England is exciting feeling in Scotland; whether, if the cost of refitting Piershill as a cavalry station is excessive, he will consider the possibility of providing fresh cavalry accommodation in Scotland for the headquarters of at least one cavalry regiment; and, if no such permanent cavalry station is maintained in Scotland, what steps he proposes to take to preserve intact the nationality of a Scottish cavalry regiment, and to maintain the number of Scottish cavalry recruits.

MR. HALDANE: What has been done does not import the permanent removal of the headquarters of the Scots Greys from Scotland to England. The facts are that Piershill Barracks are insanitary as a cavalry station and cannot be adapted for this purpose, and it is therefore proposed to station the Scots Greys elsewhere until circumstances render it financially practicable to provide fresh cavalry accommodation. I am entirely in accord with the hon. Member that it is desirable to preserve intact the nationality of the Scottish cavalry regiment, and I have never said anything to the contrary. What, however, I must insist upon is that I cannot justify putting £200,000 on the Army Estimates for next year in order to provide in Scotland such barrack and training ground accommodation as is requisite to give a cavalry regiment the same chance of training, according to the new standards of modern war, as it would have elsewhere. Important as local sentiment is, the interests of the Army and the nation as a whole are still more important, and Army reform would be impossible if this were disregarded.

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† See (4) *Debates*, clxiv., 530.

Piershill Barracks, Edinburgh.

MR. WATT (Glasgow, College): I beg to ask the Secretary of State for War whether he has offered for sale the Piershill Barracks, but has, up till now, failed to find a purchaser; and whether, in the event of his finding a buyer, he will devote the money to the erection of other cavalry barracks in Scotland.

MR. HALDANE: The Piershill Barracks have not been offered for sale, but a recent valuation of the site and buildings shows that the sale could not be expected to realise a sum anywhere nearly sufficient to cover the cost of erecting new barracks.

*MR. McCRAE: I beg to ask the Secretary of State for War whether he can state the estimated cost of putting Piershill Barracks in a sanitary condition suitable for occupation by a regiment of cavalry.

The following Questions on the same subject were also on the Paper:—

MR. McCRAE: To ask the Secretary of State for War whether he can state the estimated cost of erecting new barracks in Scotland, exclusive of the cost of site, for a regiment of cavalry and for a cavalry brigade respectively.

MR. McCRAE: To ask the Secretary of State for War whether he can state if suitable ground is obtainable in the vicinity of Edinburgh for the erection of cavalry barracks, either for a regiment or brigade.

MR. HALDANE: I will Answer this and the two following Questions together. It is impossible to put Piershill Barracks into a sanitary condition suitable for occupation by a regiment of cavalry. It is not a question of spending money; that has been done, and the place has thereby been rendered fit for a small body, such as a brigade of artillery. It is the change of neighbourhood and surroundings which has brought about the altered condition of things. It has been estimated that the cost of erecting barracks for a cavalry regiment is between £180,000 and £200,000; and, on the assumption that a cavalry brigade would consist of three regiments with the necessary headquarters staff, this figure should be at least multiplied by three. No doubt it would be possible by spending money to obtain suitable ground in the vicinity of Edinburgh for cavalry barracks.

LORD BALCARRES (Lancashire, Chorley): Are the barracks fit for occupation by any troops?

MR. HALDANE: Yes. The difficulty was in providing for a large number of horses.

AN HON. MEMBER: But the Financial Secretary the other day said distinctly that they were not in a sanitary condition.

MR. HALDANE: He should have explained the reason, as I have done. They are not sanitary for a cavalry regiment.

Ex-Soldiers in Irish Workhouses.

MR. VINCENT KENNEDY (Cavan, W.): I beg to ask the Secretary of State for War whether he is aware that a number of pensioners, ex-soldiers, or reservists, and militiamen are at present permanently or periodically occupying the 159 unions in Ireland; is he aware that these men invariably conceal their identity lest their pensions might be attached; and will he take steps to prevent these men avoiding their obligations and thus lessen the burden of local taxation.

MR. HALDANE: I am aware that the system of fraud referred to exists, but I am afraid that I have no means of preventing it unless I am furnished with sufficient information to enable the pensioners to be identified.

MR. FLAVIN (Kerry, N.): Will the right hon. Gentleman consider the advisability of housing all these pensioners in a central institution supported by the State?

[No Answer was returned.]

Calcutta Presidency College—Sanskrit Professorship.

DR. HAZEL (West Bromwich): I beg to ask the Secretary of State for India whether any proposal has reached him for the appointment of a European officer to be a professor of Sanskrit in the Presidency College at Calcutta; and whether, seeing that the general feeling in India is in favour of employing properly qualified Indians to be teachers of Sanskrit in the Government colleges, he will state what action he has taken, or proposes to take, in the matter of the above-mentioned appointment.

THE UNDER-SECRETARY OF STATE FOR INDIA (Mr. JOHN ELLIS, Nottinghamshire, Rushcliffe): The subject is still under the consideration of the Government of India, and, as was stated in reply to a similar Question on 15th May last,† the Secretary of State will not neglect the point which the hon. Member raises.

Repatriation of Chinese Coolies.

SIR G. KEKEWICH (Exeter): I beg to ask the Under-Secretary of State for the Colonies whether nearly 1,600 Chinese coolies were discharged for repatriation from the Transvaal during the month of October; if so, how many of those were so discharged for reasons of immorality, and how many as criminals or suspected criminals; whether six were struck off the roll by order of the Executive Council; if so, on what grounds and by what authority; and where the total number ordered to be repatriated are kept until embarkation.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): One thousand six hundred and thirty-seven labourers were repatriated by the steamship "Cranley" in October. Of these thirty-four were suspected of immorality and 419 were criminals. Six were repatriated in September and one in October by order of the Executive Council under a Resolution which permits employers not to continue to pay passport fees in respect of men undergoing sentences of imprisonment who were to be repatriated on the expiration of these sentences. Undesirables suspected of immorality are being sent to the depot at Durban once every fortnight as also criminals whom the Foreign Labour Department inspectors may report on as a source of danger to the control of the compound to which they belong. Labourers who are not undesirables are, I presume, sent to Durban as may be convenient.

Lord Selborne

MR. LUPTON (Lincolnshire, Sleaford): I beg to ask the Under-Secretary of State for the Colonies whether Lord Selborne is at present in the Cape Colony, and whether Sir R. Solomon is in England; and, if so, under those circumstances who is responsible for the effective carrying out of the policy of His Majesty's Government for repatriating immoral coolies in the Rand mines?

MR. CHURCHILL: Lord Selborne's temporary absence at the Cape, where he has been on a short visit, does not in any way interfere with his responsibility to His Majesty's Government. Sir R. Solomon is in England and Mr. Duncan has been appointed acting Lieutenant-Governor in his absence.

MR. SWIFT MACNEILL: Will the right hon. Gentleman consider the desirability of indefinitely extending Lord Selborne's leave of absence?

[No Answer was returned.]

Transvaal Opium Ordinance.

SIR GILBERT PARKER (Gravesend): I beg to ask the Under-Secretary of State for the Colonies whether the Chinese Government made any representations or protests to this Government or to the Transvaal Government on the repeal of the Transvaal Ordinance prohibiting the use of opium.

MR. CHURCHILL: No, Sir. I am not aware of any such protest.

SIR GILBERT PARKER: I beg to ask the Under-Secretary of State for the Colonies whether the two pounds of opium which a Chinaman may import into the Transvaal is restricted to personal use only or may be sold to his fellow-countrymen; and whether he will state the market value per pound of gum opium in the Transvaal, and what is considered the average daily consumption of gum opium by on Oriental.

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† See (4) *Debates*, clvii., 353-4.

MR. CHURCHILL: The new Ordinance which was passed because the old Ordinance was defective and not sufficiently stringent to put down illicit trade in opium, does not allow Chinamen to import two pounds of opium. No one may import opium into the Transvaal except registered chemists and druggists under permits issued by the Colonial Secretary, and no opium may be sold except on production of a permit to purchase. I am not able to answer the last part of the Question.

SIR GILBERT PARKER: Will not the hon. Gentleman supply the information asked for in the Question?

MR. WILLIAM RUTHERFORD (Liverpool, West Derby): Will the hon. Gentleman lay Papers on the subject of the Question?

MR. CHURCHILL: I am not clear what Papers there are on the subject. If there is a general desire that Papers should be laid, I will bring the matter to the notice of my noble friend. I am sure he would wish to satisfy the desire of the House.

*MR. SMEATON (Stirlingshire): May I ask whether the hon. Gentleman is aware that Chinese headmen frequently make a secret contract with their coolies to pay them half in opium and that the Chinese are the most inveterate and most dangerous opium smugglers in the world?

[No Answer was returned.]

Shipping Rates to Warri.

MR. CATHCART WASON: I beg to ask the Under-Secretary of State for the Colonies if his attention has been called to the freight charged by the same steamship owners from Liverpool to Warri, and from Hamburg to Warri, showing a preferential tariff in favour of goods shipped at Hamburg of 6s. 3d. and 12s. 6d. per ton; and, whether, in view of the magnitude of British interests, the probable rapid development by construction of railways authorised, he will take necessary steps to insure equality of treatment and opportunity?

MR. CHURCHILL: My attention has been called to the matter, and I hope that it will be considered by the Royal Commission on Shipping Conferences.

New Hebrides.

SIR GILBERT PARKER: I beg to ask the Prime Minister what is the character of the official appointments which will be made under the Anglo-French Agreement in relation to the New Hebrides; and if the Commonwealth and New Zealand Governments will be consulted before such appointments are made.

MR. CHURCHILL: I can only refer the hon. Member to my reply to his similar Question on the 14th November,† and add that no decision has yet been taken in regard to the procedure to be followed in filling the appointments specified in the Convention.

Pay of Civil Servants.

MR. VINCENT KENNEDY: To ask Mr. Chancellor of the Exchequer if he will state whether the servants of any branch of employment in His Majesty's Government are paid by results, directly or indirectly; and, if so, will he state the names of these departments.

THE CHANCELLOR OF THE EXCHEQUER (Mr. ASQUITH, Fife, E.): "Payment by results" in the strict sense (which I take to be the fixing of remuneration in strict proportion to the degree of success which attends the efforts of the worker) does not, so far as I am aware, at present exist in the public service. Remuneration by "piece-work" is not uncommon where the character of the work lends itself most readily to this method of valuation; but this is not, I take it, the practice which the hon. Member has in view.

Merchant Shipping Bill.

MR. MORTON (Sutherland): I beg to ask the President of the Board of Trade whether he will have the Merchant Shipping Acts Amendment (No. 2) Bill reprinted before the Third Reading is taken.

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† See (4) *Debates*, clxiv, 1491.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. LLOYD-GEORGE, Carnarvon Boroughs): An order has already been made for the reprinting of the Bill referred to by my hon. friend.

Rock Angus.

MR. T. L. CORBETT (Down, N.): I beg to ask the President of the Board of Trade whether he will bring pressure to bear on the Irish Lights Commissioners to have the lighthouse on Rock Angus at the entrance of Strangford Lough lighted in view of the fact that two more vessels have recently gone ashore in addition to the many already lost.

MR. LLOYD-GEORGE: I am informed by the Commissioners of Irish Lights that they do not at present intend to apply for sanction to light Rock Angus. The initiation of proposals for new lighthouse works rests with the general lighthouse authorities, and I am not prepared to act as the hon. Member suggests.

Tuberculous Pigs at Birmingham.

MR. FFRENCH (Wexford, S.): I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether he is aware that by order of the inspectors acting under the Board of Agriculture over £100 worth of pigs are seized for tuberculosis every week at Birmingham; whether he is aware that in the opinion of the salesmen the best pigs are destroyed; and whether, as the pig dealers believe they are unjustly treated owing to the fact that the head of the pig is sometimes rejected as unfit for human food while the rest of the carcase is passed, he will order an inquiry into the action of the inspectors at Birmingham.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): Perhaps I may be allowed to answer this Question. I understand that the Board of Agriculture and Fisheries have no inspectors at Birmingham, and I presume that the inspectors to whom the hon. Member refers are the meat inspectors of the town council. I will communicate with the town council on the subject mentioned in the Question, and send an Answer to the hon. Member.

The Unemployed Relief Fund.

MR. SNOWDEN (Blackburn): I beg to ask the President of the Local Government Board, to how many distress committees, and to what proportion of the whole of such committees, the Board's circular letter of 13th October was sent in which it was intimated that no grant from the £200,000 fund would be made to the distress committee circularised; and if he can state the number of cases where grants have already been made or promised, the amount in each case, and also on what general lines he is distributing the grants.

MR. JOHN BURNS: There are in England and Wales and outside London eighty-nine distress committees. The general lines on which I am administering the grant are to make payments out of it to the distress committee of those districts in which, on the information before me, there seems to be exceptional need for assistance this winter in meeting the cost of providing or contributing to the provision of temporary work. It is, of course, difficult to determine now what the demands upon particular committees may be during the winter, so that at present I have largely to rely upon the experience of last year. To twenty-three of the distress committees I intimated that, on the information before me, I was prepared to consider an application for a payment from the grant. In the other cases I stated that I did not propose to make a payment. Portions of the grant will be allotted to Scotland and Ireland. As regards England and Wales, payments amounting to rather more than £21,000 have already been made by way of instalment to the Central (Unemployed) Body in London and to certain distress committees outside London. I am in communication with a number of other committees as to applications for payments out of the Grant.

MR. PICKERSGILL (Bethnal Green, S.W.): Will the right hon. Gentleman bear in mind the fact that the Salvation Army and Church Army are already making large provision for emigration purposes, and will he consider the claims of migration as against emigration ?

MR. JOHN BURNS: All salient points will be considered.

Postcards.

MR. WEDGWOOD BENN (Tower Hamlets, St. George's): I beg to ask the Postmaster-General whether, in view of the inconvenience which may be occasioned to manufacturers of postcards who hold large stocks of cards of the minimum size allowed before the introduction of the new regulations, which allow greater facilities in the use of postcards and which came into force on the 1st November, he will arrange for cards of that size to pass for a time without challenge.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): I have already considered this matter, and in response to representations which have been made to me on behalf of publishers of postcards I have given instructions that, up to the end of April, 1907, cards not smaller than the minimum size allowed before the 1st November are to be permitted to pass unchallenged, provided that in other respects they conform to the present postcard regulations.

Welsh Liberals and Teachers' Salaries.

MR. D. A. THOMAS (Merthyr Tydvil): I beg to ask the President of the Board of Education whether his attention has been called to a resolution passed, *nemine contradicente*, at a national convention of Welsh Liberals, held at Cardiff on 11th October last, and presided over by the President of the Board of Trade, expressing approval of the attitude of the Swansea Education Authority towards what was described in the resolution as the threatened interference of the Board of Education officials with the statutory power vested in the authority in the plain words of the Act of Parliament; whether, in view of the high legal sanction given to this resolution, he has in any way modified his attitude towards the Swansea Education Authority, and if he will furnish copies of the correspondence that has passed between the Board of Education and the local authority, in reference to the matter at issue.

THE PRESIDENT OF THE BOARD OF EDUCATION, (Mr. BIRRELL, Bristol, N): My attention has been called to the resolution of 11th October referred to in the Question. I read it with composure, although I regretted to notice that it contained a reference to an alleged "threatened interference of the . . . officials" of my Department, who, of course, have no responsibility of the kind suggested—this being entirely the Minister's. In reply to the second paragraph of the Question, I do not know what the hon. Member means by the words "high legal sanction given to this resolution," but to the best of my knowledge and belief my "attitude towards the Swansea Education Authority," whether modified or otherwise, has not been due to any such influences. I had already, on 4th October, intimated to the local authority that they would not be required either to sign or to countersign the teachers' agreements; this, I understood, had been one of the main points originally in dispute, and I think some misunderstanding had existed as to the purpose or reasons for that requirement. Finding, from representations made to me recently by the town council, that certain other points were involved in the dispute of a very difficult and technical character in their legal aspect, in respect to the precise nature and extent of a local authority's obligations under the Act of 1902 as regards payments for salaries of teachers and their exercise of their control of expenditure, I further decided to withdraw the suspension of certain grants, and those grants were accordingly paid before the end of October. I propose to take the opinion of the Law Officers of the Crown as to these outstanding points. The Answer to the concluding paragraph is in the negative.

LORD R. CECIL (Marylebone, E.): Has the right hon. Gentleman abandoned the position he took up in his letter of 31st July, in which he pointed out that there was no reason for differentiation between voluntary school and council school teachers, and explained that the uncertainty as to teachers' salaries was very unfair to the teachers.

MR. BIRRELL: I do not think it can be said I have abandoned any position. I do not find in my long correspondence with the authority that they took the point of differentiation. The whole question is whether the education authority ought to tell the managers of the schools beforehand what salaries they would sanction in their agreements with their teachers. There is some doubt as to whether I have the power to compel a local authority to express that opinion, and on that point I am seeking advice.

Lord R. CECIL: Am I not right in saying that managers of voluntary schools have repeatedly pressed the question of the differentiation of salaries?

Mr. BIRRELL; There has been a very long correspondence between the parties in which I endeavoured to do my best between them. No doubt the question of differentiation has got to be determined some time or other.

Further asked when the local authority withdrew their ultimatum, Mr. Birrell said he had not the date in mind.

Swine Fever Restrictions.

Mr. FFRENCH: I beg to ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether his attention has been called to the effect of the restrictions imposed under the Swine Fever Order in discouraging pig-breeding, and to the fact that many farmers are urging that the restrictions are worse than the disease; and whether he will consider the advisability of devising some other means for stamping out swine fever.

Mr. J. H. LEWIS (Flintshire; for Sir Edward Strachey): A careful examination of the facts fails to show any relation between the pig population and the swine fever restrictions. From 1901 to 1904 the number of pigs rose steadily, although the restrictions were much more severe during that period than they now are. The decline has taken place in the last two years, during which the severity of the restrictions has been considerably relaxed. All our experience goes to show that there would be no hope of the eradication of the disease if the restrictions were removed.

Whitburn Beach.

Mr. SUMMERBELL (Sunderland): I beg to ask the Secretary to the Treasury whether the attention of the Office of Woods and Forests has been called to the condition of Whitburn Beach, near Sunderland, due to the continual deposit of refuse from the adjoining collieries amounting in one day to no less than forty-three railway truck loads, and seventeen contractors' wagon loads, or a total quantity of about 500 tons; and, if so, what action, if any, it is intended to take to put a stop to it.

The FINANCIAL SECRETARY of the TREASURY (Mr. McKenna, Monmouthshire, N): The beach at Whitburn has been visited by a representative from the Office of Woods, etc., and that Department is now in communication with the colliery company upon the subject.

Legal Costs in Scotland.

Mr. WATT (Glasgow, College): I beg to ask the Lord Advocate whether his attention has been called to the consensus of opinion in Scotland that the expenses of a Court of Session action are too high and often out of proportion to the sum at issue; whether he is aware that this view is shared even by members of the Bar; whether, in these circumstances, he will introduce reforms which will have the effect of cheapening litigation; and whether he will initiate the system of allowing provincial solicitors to brief counsel for Court of Session cases without the intervention and expense of Edinburgh solicitors.

The LORD-ADVOCATE (Mr. Thomas Shaw, Hawick Burghs): While I have received no representations on the general question of Court of Session costs to which my hon. friend refers, I think it to be accurate at least to say that there is a consensus of opinion that in cases raised under the Employers' Liability Act at the instance of workmen and relatives of workmen in respect of injuries received in the course of employment, the expenses of litigation in Scotland are in many cases out of all reasonable proportion to the sums at stake. This arises from the existing practice of removing such cases from the Sheriff Court to be tried in the Court of Session. His Majesty's Government have attempted to deal with this evil by provisions in the Workmen's Compensation Bill now before the House, which will, it is hoped, have the effect of keeping such cases for final determination in the Sheriff Court, and so assimilating the Scottish to the less costly English procedure. The last part of my hon. friend's Question is founded on a misapprehension. All solicitors have the right to practice in the Supreme

Courts on paying the appropriate stamp and licence duties and otherwise complying with the statutory requisites such as are contained in the Acts 36 and 37 Vic. Cap. 63.

Irish Arterial Drainage Commission.

MR. GINNELL (Westmeath, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, when does he expect the Arterial Drainage Commission will present its Report; does he hope to be able to introduce legislation on this subject next year; and, pending legislation, will any effort be made to give new landowners, now becoming directly liable for drainage rates, representation on local drainage boards.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.): I am informed by the Secretary to the Arterial Drainage Commission that the Commissioners expect to present their Report early next year. Until the Report has been received and considered, I cannot make any statement as to the possible introduction of legislation. Under the existing Acts, new proprietors of land who are liable for drainage rates or charges, become electors in the case both of drainage trustees and of drainage boards.

Blacker Douglas Estate in North Kerry.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state when the agreements entered into by the tenants on the Blacker Douglas property in North Kerry were lodged in the office of the Estates Commissioners; and whether he can state when the sale will be sanctioned and the estate vested in the tenants.

MR. BRYCE: The Estates Commissioners inform me that the agreements for purchase in respect of the Blacker Douglas estate in North Kerry were lodged with them in January of the present year. The Commissioners cannot say when the sale will be sanctioned and the estate vested in the tenants, but they will have the estate inspected as soon as possible.

Lord Listowel's North Kerry Estate.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can say if about 1,000 acres of untenanted land on Lord Listowel's estate, North Kerry, have been offered to the Estates Commissioners for the enlargement of uneconomic holdings, the reinstatement of evicted tenants, and the giving of small holdings to labourers; and whether he can say what action the Estates Commissioners have taken in connection with the purchase of these untenanted lands.

MR. BRYCE: The Estates Commissioners inform me that 746 acres of untenanted land on the estate in question have been offered for sale to them. The Commissioners have had the land inspected and have now received their inspector's report, but they have not yet had time to consider it.

MR. FLAVIN: As there is an important legal question involved in connection with this estate, will the right hon. Gentleman represent to the Estates Commissioners the desirability of dealing with these untenanted lands as a separate estate in order to facilitate the reinstatement of the evicted tenants?

MR. BRYCE: I will convey the suggestion to the Commissioners.

MR. FLAVIN: Is the right hon. Gentleman aware that the untenanted land has been offered as a separate estate?

MR. BRYCE: I am not aware of that.

Untenanted Land as Separate Estates.

MR. FLAVIN: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have power to deal, as a separate estate, with untenanted lands on a tenanted estate for the purpose of facilitating the immediate reinstatement of evicted tenants and the relief of congestion.

MR. BRYCE: The Estates Commissioners consider that they have power to deal in the manner suggested in the Question with untenanted lands which form part of a tenanted estate, and it is their practice to do so as occasion offers.

Miss Hepenstall's Ballinascarry Estate

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland have the Estates Commissioners ascertained whether Miss Hepenstall is willing to sell her estate at Ballinascarry, Finnea; and, if so, is there a prospect of its being obtained for distribution within the next six months.

MR. BRYCE: The Estates Commissioners inform me that Miss Hepenstall has, in reply to their inquiry, intimated that she does not wish to sell her estate a present.

Colonel Malone's Barronstown Estate.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will say how the Estates Commissioners propose to enlarge the uneconomic holdings on Colonel Malone's Barronstown estate, and to relieve congestion in that neighbourhood, unless they avail themselves of the opportunity which the sale of that estate affords.

MR. BRYCE: I beg to refer to my Answers to the hon. Member's Questions of 7th and 16th instant.† As I then informed him, the estate in question contains no untenanted land, and therefore, the sale of that estate did not afford the Estates Commissioners an opportunity of acquiring land for the enlargement of holdings.

Mr. Montgomery's Untenanted Lands at Killucan.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state what reply, if any, the Estates Commissioners have received from Mr. A. S. Montgomery with reference to the sale of his untenanted lands at Riversdale, Killucan; and, having regard to Mr. Montgomery's willingness to sell his tenanted lands ten years ago, will the Commissioners ask him to sell his entire estate to them now.

MR. BRYCE: The Estates Commissioners inform me that they have been given to understand that the only untenanted land in the possession of Mr. Montgomery consists of about 700 acres of bogland, and that the landlord is at present in negotiation with his tenants for the sale to them of his estate.

Arrears of Land Purchase Annuities.

MR. CHARLES CRAIG (Antrim, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland how many persons are in arrears with their purchase annuities under the Land Act of 1903, and how many persons are in arrear with their annuities under the earlier Land Purchase Acts; and in how many cases have the Government instituted proceedings for the recovery of such arrears.

MR. BRYCE: I am informed by the Land Commission that out of 25,856 purchasers under the Act of 1903, 168 are in arrear with their purchase annuities due 1st June last; and out of 72,143 purchasers under the earlier Acts, 970 are in arrear with their annuities due 1st May last. Proceedings have been instituted in all the cases of default.

United Irish League and the Toulagee Farm.

MR. CHARLES CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on the 7th instant, a crowd of some 200 Nationalist rowdies assembled with bands and flags midway between Toulagee and Donamon and intercepted forty head of cattle which were being driven out to stock Toulagee farm, which had been taken by Mr. John Beirne, butcher, Ballinasloe, in defiance of resolutions passed by the Kilbride branch of the United Irish League; that the crowd drove the cattle in every direction over the country so that the herd had to return to Roscommon with sixteen only of the cattle; will he explain why the police were not on the spot to prevent that action; and what steps have the police taken in the matter.

MR. BRYCE: I am informed that proceedings have been directed against several persons in connection with the matter referred to in the Question, and while those proceedings are *sub judice* it would be contrary to practice and undesirable that I should enter into the details of the case. The Inspector-General informs me that the reason why the police were not present on the occasion was that they had not been informed by the owner of his intention to send cattle to the farm.

MR. LONSDALE (Armagh, Mid.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the dispersal of the cattle of

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† See (4) *Debates*, clxiv., 561; clxv., 224, 225.

Mr. Beirne, of Ballinasloe, was organised by the United Irish League, because he refused to give up, at the bidding of the League, his farm at Tongalee, which he bought at auction; and whether, in consequence of the attempts to injure Mr. Beirne, a force of police have to be stationed on the farm for his protection.

Mr. BRYCE: As I have just stated in reply to a Question put by the hon. Member for South Antrim, the incident referred to in the Question is the subject of pending proceedings at the instance of the police, and it is therefore undesirable that the details of the case should be entered into. I may, however, say that, as I am informed, the police have no evidence that the dispersal of Mr. Beirne's cattle was organised by the United Irish League. It has not been found necessary to station a force of police on the farm, but the police are taking all due measures for the preservation of the peace.

*Mr. DUNCAN (Lanarkshire, Govan): Is the Government able to deny the truth of the rumour that they intend the abrogation of the 6th and 8th Commandments of the Decalogue?

Dromahair Disturbances.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that at Dromahair, county Leitrim, on 1st November, a large band of Nationalist rowdies assembled with the object of drumming three of the leading shopkeepers of the place for supplying provisions to boycotted persons; and whether the police took steps to prevent this form of intimidation.

Mr. BRYCE: I am informed that proceedings at the suit of the police have been taken against six persons in connection with the occurrence referred to in the Question. The cases were to have been heard yesterday, but I have not yet learnt the result. A force of police was present on the occasion for the purpose of preserving the peace.

Mr. DOLAN (Leitrim, N.): Is the right hon. Gentleman aware that the shopkeepers at this place are on good terms with the National Irish League, that the meeting had nothing whatever to do with boycotting, but was for the purpose of considering a sewerage scheme.

Mr. BRYCE'S Answer was inaudible.

Mr. DOLAN: Is the right hon. Gentleman aware that the summonses have been dismissed?

Mr. BRYCE: I have no information as to the result of the hearing.

Mr. DELANY (Queen's County, Ossory): Will the sewerage scheme be carried out.

[No Answer was returned.]

Newtowngore Evicted Tenants.

Mr. THOMAS F. SMYTH (Leitrim, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if the Estates Commissioners have received applications for reinstatement from Bridget M'Caffrey, John Reilly, and Edward Reilly, evicted tenants on the estate of Mrs. Upperton, in the vicinity of Newtowngore, county Leitrim; and, if so, if any action has been taken with regard to same.

Mr. BRYCE: The Estates Commissioners inform me that they have received applications for reinstatement from Bridget M'Caffrey, and John Reilly, and have referred them to an inspector for inquiry. No application has been received from Edward Reilly.

Alleged Intimidation in Galway.

Mr. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Mr. Thomas Francis Joyce, a grazier, of Mounterowen House, county Galway, has complained to the police of the erection of a gallows on his avenue; and whether the police have succeeded in discovering the perpetrators of this outrage.

Mr. BRYCE: I am informed by the police authorities that Mr. Joyce has made no complaint to the effect stated, and that as a matter of fact nothing in the nature of a gallows was erected on his premises, and no outrage of any kind has been committed against him.

Mr. LONSDALE: Is it not the fact that emblems of mortality were erected?

Mr. BRYCE: I do not know what the hon. Member means by "emblems of mortality" unless it be a tombstone?

Mr. LONSDALE: Gallows, I say.

Mr. BRYCE: There was no gallows.

Mr. FLAVIN: Are there any Russian eggs on sale there as Irish?

Sir Antony MacDonnell.

Captain CRAIG (Down, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will caution Sir Anthony MacDonnell that when he is making any further speeches foreshadowing Home Rule or Devolution for Ireland when Parliament is not sitting, he will adhere strictly to the Cabinet's proposals on the subject.

Mr. BRYCE: All communications between the Chief Secretary and the Under-Secretary are of a confidential nature, but I may remove from the hon. Member's mind a misapprehension when I inform him that the Under-Secretary has never, so far as I know, indicated any specific proposals on the subject referred to in the Question.

Captain CRAIG: The right hon. Gentleman in a previous Answer stated that a speech was made by——[The rest of the sentence was lost in Nationalist cries of "Order."]

*Mr. SPEAKER: The observations of the hon. and gallant Member seem to be of a controversial character.

Agrarian Outrages.

Captain CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been drawn to the fact that recently on the land of a farmer named Shaughnessy, of Drumsheel, three tons of hay were burned to the ground; and whether, seeing that this is one of a series of outrages on this man's farm, any action has been taken by the police, and, if so, have the perpetrators been brought to justice.

The following Questions were also on the Paper:—

Captain CRAIG: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been drawn to an outrage perpetrated on the night of the 5th inst., when a sheep belonging to a widow named Melitt, in the district of Cong, was found with a wooden stake driven through its stomach; whether any action has been taken by the police; and, if so, have the perpetrators been brought to justice.

Captain CRAIG: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been drawn to the fact that recently in the district of Cong, a quantity of hay, the property of Mr. W. H. Diskin, a member of Ballinrobe District Council, was set on fire by lighted coals being thrust under the stack; whether any action has been taken by the police; and, if so, have the perpetrators been brought to justice.

Mr. BRYCE: I am informed by the police authorities that the facts are as stated in these three Questions, with the exception that the offence against Shaughnessy is not one of a series, but is the only case of which the police have any knowledge. The police have been closely investigating each of the cases, and have made every effort to discover the offenders, but so far without success.

Newry Troubles.

Captain CRAIG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether, on Sunday, 4th November, the police permitted St. Joseph's brass band, playing Nationalist Party tunes, to parade Canal Street, Newry, a quiet Protestant quarter, although the police do not allow Protestant bands playing the National Anthem to pass through Kilmorey Street and the adjacent thoroughfares.

Mr. BRYCE: I am informed by the police authorities that Canal Street, Newry, is a locality mainly inhabited by Protestants, through which Nationalist bands are not permitted to march; while Kilmorey Street is a Nationalist quarter, through which Protestant bands are not allowed to pass. On the occasion in question the St. Joseph's brass band unexpectedly turned into Canal Street, and a sufficient force of police was not present to prevent them from doing so. The Inspector-General informs me that he has directed arrangements to be made to prevent a repetition of the occurrence.

MR. MOONEY (Newry): Is the right hon. Gentleman aware that the Protestant and Catholic inhabitants of Newry live on terms of friendship, except when attempts are made by outsiders to raise strife?

MR. BRYCE: If that is so, it is to be regretted that such attempts should be made.

Tullyvin Dispensary Doctor.

MR. FETHERSTONHAUGH (Fermanagh, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Dr. Carr, late medical officer of Tullyvin dispensary district, Cootehill Union, was recently compelled, owing to old age, and after long service, to resign his appointment; that he applied to the guardians for a pension, and they refused it; that on the 27th October he became a pauper inmate of the union workhouse; and does the Government propose to take any steps to improve the position of Irish Poor Law medical officers, particularly as to the right to pension after long service which is at present left entirely to the discretion of the guardians to grant or refuse.

MR. BRYCE: I am informed that in July last Dr. Carr was called upon to resign, but not on account of old age or after long service. He had been appointed in 1902 when he was fifty-nine years of age, and had, therefore, served but four years. It is the fact that the guardians have refused to grant Dr. Carr a superannuation allowance, and the Local Government Board understand that he is now an inmate of the workhouse. Recommendations as to the Irish Poor Law Medical Service are made in the recently presented Report of the Irish Poor Law Commission; but, as I have already stated, that Report will require very full consideration, and I do not anticipate that I shall be in a position to make any statement upon the subject for some time to come.

Irish Land Sales.

MR. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state the number of estates that have been sold under the recent Land Act and their total value; the number of cases in which the mineral and sporting rights were retained by the landlords; the number in process of negotiation; and the number of landlords who have refused to sell on any terms; and whether the Government contemplate legislative measures making possible the compelling of such landlords to sell when necessary for the relief of tenants of non-economic holdings.

MR. BRYCE: I beg to refer my hon. friend to the last annual Report of the Estates Commissioners, dated 26th July, which contains full information upon the subject of the earlier parts of this Question. The Commissioners have no information as to the number of cases in which negotiations for sale may be in progress, nor have they information as to the number of landlords who have refused to sell on any terms; but as to the latter they would conjecture that there are few, if any, such landlords. In reply to the concluding part of the Question, I would remind my hon. friend that a Royal Commission upon congestion in Ireland is at present sitting, and until the Commission has reported it will not be possible to make any statement as to legislation. I cannot say when the Report is likely to be presented.

Malicious Injury Claims in County Roscommon.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state the number of claims for malicious injury made and substantiated in county Roscommon during the past six months, the total amount awarded in respect of them, and the number of claims the hearing of which is now pending.

MR. BRYCE: I am informed by the police authorities that one claim for malicious injury has been made and substantiated in the County Roscommon within the past six months, the amount of compensation awarded being £7 17s. Four claims for compensation are now pending in that county.

MR. LONSDALE: How many bogus claims were made?

MR. BRYCE: If some were made which were not substantiated it would seem to lead to the conclusion that they were bogus claims.

Mullaranny to Belmullet Railway.

MR. WALTER LONG (Dublin, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will take into consideration, in the preparation of the Ireland Development Grant Estimate for 1907–8, the question of the construction of a line from Mullaranny to Belmullet.

MR. BRYCE: The question of railway communication with Belmullet has been under the consideration of the Irish Government for some time time past, but I am not in a position to make any statement on the subject. The matter will continue to receive my close attention.

Irish Agricultural Organisation Society.

MR. DILLON (Mayo, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the fact that the action of the Department of Agriculture and Technical Instruction in Ireland in subsidising the Irish Agricultural Organisation Society out of the public funds at its disposal is illegal, and was taken in violation of a pledge given by Mr. Gerald Balfour, the Minister in charge of the Bill when it passed through the House of Commons; and what steps the Irish Government propose to take to prevent the continuance of this illegal action on the part of the Department.

MR. BRYCE: It had has been, and is, the view of the Department of Agriculture that the payments out of public funds which have been made to the Irish Agricultural Organisation Society are legal, but the matter is one which I have had no opportunity, since the Question appeared on the Paper, of personally investigating. As respects what was said by Mr. Gerald Balfour, I have no knowledge, beyond what may be gathered from the Reports in the Parliamentary Debates, and though I have had no time to read them myself, I am informed that they do not contain anything bearing on the matter. As respects the question regarded as a matter of policy, the continuance of these payments to the Irish Agricultural Organisation Society will be considered by the Council of Agriculture at their meeting next week, and the decision then arrived at will govern the future action of the Department.

MR. DILLON: If the payments are illegal will the Government take steps to restrain them?

MR. BRYCE: Clearly if they are illeged they ought not to continue. I will obtain advice from the Law Officers of the Crown.

MR. DILLON: I will repeat the Question this day fortnight.

Irish Poor Law Reform Commission.

MR. LONSDALE: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the recommendations of the Poor Law Reform Commission (Ireland) have been considered by the Government; and whether it is intended to appoint a temporary commission to assist in carrying out the changes incidental to the recommendations.

MR. BRYCE: The Report is not yet complete, seeing that the appendix and minutes of evidence referred to in it have not yet been submitted by the Commissioners. The Report will, as I have stated in reply to previous Questions, require very full consideration, and I do not anticipate that I shall be in a position to make a statement as to the intentions of the Government for some time to come.

Limerick Fishery Conservators.

MR. JOYCE (Limerick): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that the course followed at the election of conservators in at least one fishery division of the Limerick fishery district is that one or two of the *ex officio* or elected members on election year nominate six to their own choosing, collect the proxies, and vote with such proxies for the six so nominated, to the exclusion of all others; and whether he proposes to take any action in the matter.

MR. BRYCE: In the opinion of the Department of Agriculture and Technical Instruction there is nothing illegal in the procedure referred to in the Question. Holders of fishery licences are free to give their proxies to whomsoever they may choose. Whether the existing method of election of boards of conservators is a satisfactory one, I am not at present in a position to form an opinion, and, as I have already informed the hon. Member, I cannot now make any statement as to possible legislation on the subject.

Longford Telegraphist's Grievance.

MR. J. P. FARRELL (Longford, N.): I beg to ask the Postmaster-General whether he is aware that a telegraphist at Longford, Ireland, has been informed that he must have twenty-seven months approved good service to his credit before his pay can be adjusted; and whether, seeing that the Departmental witnesses before the Select Committee of this House have repeatedly stated that after twelve months approved service increments withheld for disciplinary purposes are adjusted, he will investigate the whole of the circumstances.

MR. SYDNEY BUXTON: An increment withheld for disciplinary reasons can be restored after twelve months approved service; but the pay cannot be "adjusted," that is to say, raised to the point at which it would have stood if there had been no stoppage of increment, until after a further period of at least three months. In the case to which the hon. Member refers it had been necessary to withhold an increment twice, and in accordance with the usual practice a longer period of good service was required before adjustment.

Chinese in the Transvaal.

SIR W. EVANS GORDON (Tower Hamlets, Stepney): I beg to ask the Prime Minister whether the Government proposes to prosecute under the Official Secrets Act those persons who, after inquiry, are found to have communicated to the Press confidential documents relating to the Chinese coolies in the Transvaal.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY, (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): No, there is no such intention.

SIR W. EVANS GORDON: Are we to understand that no steps are being taken to discover the persons by whom these confidential documents of the Government were betrayed to the Press?

SIR H. CAMPBELL-BANNERMAN: I do not see what can be done.

LORD BALCARRES: Can no efforts be made to detect those who are responsible for this breach of confidence?

SIR H. CAMPBELL-BANNERMAN: We have not applied to Scotland Yard yet.

*MR. MACKARNESS (Berks, Newbury): Is the right hon. Gentleman aware that Lord Harris, chairman of the Consolidated Gold Fields, yesterday reported to the shareholders the evidence of a Dr. Watt, alleged to have been given before Mr. Bucknill's Commission? Who authorised Lord Harris to make that revelation?

SIR H. CAMPBELL-BANNERMAN: I have no knowledge at all of the channel through which these communications have been made. Evidently there has been more than one channel.

SIR W. EVANS GORDON: I beg to ask the Prime Minister whether, in view of the fact that access to the secret and confidential Report on certain immoral practices among the Chinese labourers in the Transvaal has been granted to one Member of this House, similar privileges will be allowed to other persons who may desire to peruse the documents in question.

SIR H. CAMPBELL-BANNERMAN: No, Sir, that would mean abandoning the secret and confidential character of the Report.

AN HON. MEMBER: It is done already.

MR. T. L. CORBETT: Was it made a condition of the Report's being shown to an hon. Member that he should only disclose its contents to Members on his own side of the House?

SIR H. CAMPBELL-BANNERMAN: I do not think that was made a condition, but the matter has been fully explained already in reply to innumerable Questions, and I do not think anything will be gained by saying anything more.

SIR W. EVANS GORDON: Is there any particular reason why privileges of this kind should be given to one Member of the House and not to another?

SIR H. CAMPBELL-BANNERMAN: It is perfectly obvious to everyone who knows the circumstances that the hon. Member to whom these Papers were shown was the hon. Member who specially called the attention of the House to this matter, and out of courtesy to him, it may have been by error—I cannot say, and I do not pronounce an opinion—he was allowed to see the Report and the evidence. But, of course, if the matter is to be kept confidential at all, we cannot go any further.

SIR HOWARD VINCENT (Sheffield, Central): Was the Blue-book not marked "Strictly confidential" on the outside?

SIR H. CAMPBELL-BANNERMAN: At the time I saw it I do not think it was a Blue-book, and I do not think it had any outside.

SIR HOWARD VINCENT: Had it any mark inside?

SIR H. CAMPBELL-BANNERMAN: That I cannot say. I received it as confidential; I treated it as confidential; but whether it was marked "confidential" or not I do not know.

SIR HOWARD VINCENT: As a Cabinet Paper?

MR. FLAVIN: Can the Prime Minister say what interesting details there are in this book which hon. Members above the gangway are so anxious to see?

Woman Suffrage.

MR. O'SHAUGHNESSY (Limerick, W.): I beg to ask the Prime Minister whether he is aware that there are numbers of women in the country who do not want the parliamentary franchise; and, in view of this fact, whether it is the intention of the Government to ascertain if the public opinion of the country is in favour of extending the franchise to them before contemplating any change in the law in the matter.

SIR H. CAMPBELL-BANNERMAN: I have no doubt that there are a certain number of women who do not want the parliamentary franchise, just as there are men who would be glad to be without it or who behave as though they would. I think the suggestion of the hon. Member somewhat impracticable.

VISCOUNT TURNOUR asked if the men to whom the Prime Minister referred were Radical electors.

SIR H. CAMPBELL-BANNERMAN: I believe they are of all kinds.

MR. O'SHAUGHNESSY asked whether it was to be inferred from the last part of the Answer to his Question that the Prime Minister contemplated bringing about legislation without consulting public opinion.

SIR H. CAMPBELL-BANNERMAN: The Government will take the usual course when there is any change in the Parliamentary Constitution.

Small Landholders (Scotland) Bill.

MR. MORTON: I beg to ask the Prime Minister whether he is aware that a Mr. J. D. Fletcher, of Rosehaugh, Black Isle, Ross-shire, is, in anticipation of the Small Landholders (Scotland) Bill, warning out all small holders on his estates up to the £50 per annum limit; and whether he will promote a Suspensory Bill to prevent these clearances.

MR. CATHCART WASON: May I at the same time ask the Prime Minister if his attention has been called to the action taken on a certain estate in the north (tenants under £50 rental being warned out); and, in view of the suffering which will ensue, if he will consider what steps can be taken to stop eviction of such tenants until the Small Landowners Bill can be passed.

SIR H. CAMPBELL-BANNERMAN: I have heard with the utmost concern that certain landowners are threatening action of the kind described by my hon. friend. I am not prepared at the moment with any remedy to meet this action, which I regard as deplorable; but my hon. friends may rest assured that the matter is engaging the earnest attention of the Government.

BUSINESS OF THE HOUSE.

SIR A. ACLAND-HOOD (Somersetshire, Wellington) asked as to the business for the remainder of the week and for the beginning of the next week; also when the promised discussions would take place on wireless telegraphy, Army reform, and the structural alterations in the House, and whether there would be a debate on the Report of the Public Accounts Committee.

SIR H. CAMPBELL-BANNERMAN said the Public Accounts Committee were about to present another Report, and until that was received he could say nothing as to time for a discussion on the subject. Upon wireless telegraphy and the state of the Army he had no announcement to make as to time for discussion. In arranging business for to-morrow they had to consider the exigencies of business in another place, and, with a view to that consideration, the first order would be the Third Reading of the Merchant Shipping Bill, to be followed by the report stage of the Census of Production Bill. At a quarter past 8 o'clock the business in hand would be interrupted in order that the alteration of seats in the House might be considered. On Friday the order would be the Third Reading of the Land Tenure Bill. As to the business on Monday, he thought he would be able to answer to-morrow; he was becoming more and more timid in making these statements on business.

SIR A. ACLAND-HOOD reminded the right hon. Gentleman of an undertaking that an opportunity should be given for discussion of Army reform during the autumn.

SIR H. CAMPBELL-BANNERMAN understood that communications were passing with the Front Opposition Bench on the subject.

MR. HALDANE explained that, though there was the general understanding referred to, it would be infinitely more convenient to the House and in accordance with his desire if the discussion could be taken upon the scheme put forward as a whole. In the present autumn session he could only present his scheme in a fragmentary manner, but he was quite willing there should be discussion upon so much as there was to discuss.

SIR A. ACLAND-HOOD said he could give no pledge. It was a matter the Leader of the Opposition would consider.

SIR EDWARD SASSOON (Hythe) asked when Papers as to the Berlin Conference would be in the hands of the Members.

SIR H. CAMPBELL-BANNERMAN: Notice had better be given of that Question.

Ordered, That the proceedings on the further consideration of the Town Tenants (Ireland) Bill, as amended, if under consideration at Eleven o'clock this night, be not interrupted under the Standing Order (Sittings of the House).—(*Sir H. Campbell-Bannerman.*)

TOWN TENANTS (IRELAND) BILL.

As amended (by the Standing Committee), further considered.

SIR FREDERICK BANBURY (City of London) in moving to leave out of Clause 2 the words "with the right to the tenant to dispose of his interest therein," said he believed that the majority of leases granted contained the provision that the tenant might dispose of his interest provided he obtained the consent of his landlord, that consent not to be unreasonably withheld. That seemed to him to be a very reasonable provision, and he did not see why the House of Commons should depart from it—an arrangement made between two grown men—and lay down the manner in which the landlord should make the offer of a lease to his tenant. If once the House admitted the words, and the right of their insertion in the Bill, then they would have gone a long way towards establishing tenant right and dual ownership. As far as he could ascertain, there had hardly ever, if ever, been a case of hardship under the law as it stood, nor had the State had to interfere between landlord and tenant in this particular matter. Under this section, however, a landlord could not safeguard his interest. A tenant might dispose of his interest without any reference to the landlord in the matter at all. He might dispose of it to a man engaged in speculative business, with the chance that in a short time he would be unable to fulfil the condition; or, on the other hand, to an insolvent. There was no reason for the words, nor were they likely to do any good. A tenant who wished to dispose of his interest must do so to someone who was solvent and prepared to maintain the conditions of the lease. If the words were put in the result would be to make more difficult instead of facilitating lettings. All on the Opposition side of the House were against anything which would go to establish dual ownership and tenant right. He did not think the right hon. Gentleman in charge of the Bill could say that the Amendment would endanger the principle of the measure. Its principle was to give compensation for improvements and disturbance, and not to give the tenant the right to dispose of his lease regardless of any agreement to the contrary with the landlord, or any agreement the landlord might desire to make. He felt inclined to think that for the first time he was moving an Amendment which would be acceptable to the Minister in charge of the Bill.

Mr. CHARLES CRAIG (Antrim, S.) seconded the Amendment, and said its introduction would not interfere with the primary object of the Bill. There were in Ireland three classes of leases: (1) those containing a condition against alienation; (2) those containing a provisional condition against alienation, which provided that where a tenant desired to sell his interest he must require the landlord to give his consent to the new tenant; and (3) those containing a total prohibition against alienation. Everybody agreed that it was a reasonable thing that the landlord should have the right to say whether he accepted a new tenant or not, and it seemed to him that the inclusion of these words, while putting the tenant in a better position, would put the landlord in a worse, by depriving him of the right to say who was to be his tenant. They were told that the Bill was framed solely for the purpose of improving the position of the tenant, but he supposed it would be admitted that the object of the Government was not to hurt the position of the landlord unnecessarily.

Amendment proposed to the Bill—

"In page 2, line 3, to leave out the words 'with the right to the tenant to dispose of his interest therein.'"—(*Sir F. Banbury.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Colonel KENYON-SLANEY (Shropshire, Newport) asked whether there was to be any limit to the right of the tenant to dispose of his interest in the holding, as otherwise it was conceivable that he might dispose of his interest in the house for the purpose of setting up a public-house, or for the purposes of some noisy trade which would be injurious to the rest of the property of the landlord, and also injurious to the public interest and welfare of the neighbourhood and of the property in the neighbourhood. If these words gave to the tenant a limitless or practically limitless right to dispose of his interest in his holding for any such purpose, it seemed to him that it would be manifestly unjust to the owner and unjust to the public weal. He could not see the advantage of introducing the words, which seemed to him to open up a prospect of considerable injustice and danger to the landlord. Therefore, without wishing to press the question at any length, he thought those who saw some danger in these words should receive an assurance that their fears were groundless, and that the tenant would not have the power to make use of his position to force upon the owners so-called improvements which were useless and contrary to the public interest.

*Mr. JAMES CAMPBELL (Dublin University) quite agreed that a new tenancy should be subject to new conditions, and that any condition that a man was not to dispose of his interest in his holding would be unfair and unjust; but, on the other hand, was it not perfectly clear that any Court before whom the question might come would say that any lease containing such a condition was unjust and unreasonable? On the other hand, was it not equally unjust and unreasonable to put in general powers of alienation against the will of the landlord and without his being consulted? The tenant might assign his interest to a pauper, and would it not be unjust that the landlord should have no power to intervene? The tenant who had made improvements, instead of seeking for compensation might make other arrangements with his landlord. The landlord might offer a reasonable lease for an extended term, and if the Court was of opinion that the lease was reasonable it would be taken as the equivalent of compensation, but no Court would hold that a lease was reasonable which provided that the tenant should not be allowed to dispose of his property. A Court would, however, hold it reasonable that a landlord should put in a clause that in the event of the tenant wanting to dispose of it he should do so to a solvent purchaser or that the landlord might pre-empt at a particular price. That would be reasonable. As the clause now stood it would confer upon the tenant holding under a new lease the inalienable right to dispose of his interest as he liked without consultation with his landlord or reference to him in any shape or form. He did not think the words were required, because the Court would protect both the tenant and the landlord and say what was reasonable. No Court would hold a lease to be reasonable which contained an unqualified restriction of the tenant's right to sell, but they would hold it reasonable that he should be at liberty to sell to a person approved by the landlord, and if the latter did not approve the Court would determine whether he was reasonable in the matter.

*THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange) said that the speeches in support of the Amendment dealt with three entirely different subject matters which were brought forward on the last stage of the Bill in the House.

MR. A. J. BALFOUR (City of London): At what earlier stage could they be brought forward?

*MR. CHERRY said they could have been brought forward in the Grand Committee. He had been asked, in the course of the discussion, whether there was in law any limitation in regard to the use of a house if a man took it. There was a very well known limitation in law. A man who had taken premises could not divert them from the use for which they were intended. If he took the premises as a dwelling house he must use them as such, and if he took them for business purposes he must use them in accordance with the agreement. He could not transform them without his landlord's consent, and if he proposed to do so the landlord might restrain him. Of course, if the landlord did not restrain him it might be assumed after a few years that he had consented to the alteration. That was the way the ordinary law stood quite apart from this or any other Bill. There was ample protection under the law as it was at present administered, and there was no risk to the landlord in regard to a new tenant coming in.

COLONEL KENYON-SLANEY: And that law will not be over-ridden by this law?

*MR. CHERRY: No, Sir; it will not be over-ridden. With regard to the Amendment, perhaps the hon. Baronet was not aware that under the Land Act every tenant of an agricultural holding had the right of what was called "free sale," whether or not there was a covenant to that effect in his lease or his agreement of tenancy.

SIR FREDERICK BANBURY did not think that had anything to do with a town holding.

*MR. CHERRY said he admitted that at present it had nothing to do with town holdings, but they were seeking by the Bill to extend it to town holdings. He could see no difference in this regard between agricultural holdings and town holdings. They stood on the same footing as regarded the landlord's control over the right of sale. The object of the Government was to put in a clause to prevent a landlord unreasonably depriving a tenant of his right of compensation. If the Amendment was accepted a landlord, by refusing his sanction to a sale, might altogether deprive a tenant of compensation. He would take the case of a man who carried on a business which required skill. He had a house on a short tenure, and died suddenly, leaving no widow, perhaps, but five or six children, who, it was obvious, could not carry on the business. It would be necessary, therefore, for the house to be sold or surrendered to the landlord. If they surrendered it, they would be entitled to compensation under this Bill. But an unreasonable landlord might say, if this Amendment were carried, that he would not give compensation, but would grant a new lease, which would be of no use to the children.

SIR FREDERICK BANBURY: The Court would not decide that that was reasonable. The right hon. and learned Gentleman has not read his own Bill.

*MR. CHERRY said he did not know what the Court might consider, but it was likely that they would think it reasonable, in which case the children would be deprived altogether of their compensation. He could not see that any harm would be done to landlords by allowing this provision to remain.

MR. J. F. MASON (Windsor) said the right hon. Gentleman had told them that it was the intention to introduce into town tenancies in Ireland the condition that now applied to agricultural tenancies, and if this Bill was ultimately to be applied to England there would be a condition applied to town tenancies in England which did not apply to agricultural tenancies in England. Therefore, while trying to reduce the two kinds of tenancies in Ireland to one kind they would be introducing confusion in regard to the two sorts of tenancies in England. It seemed to him very desirable that the landlord should have some control over the tenant who occupied his property, and at the same time he admitted it was useless to give to the tenant a long lease if he could not dispose of it in case of need. It was quite necessary that he should have power to sell his interest, but the introduction of words such as were, he believed, frequently put into leases in England, and certainly in Scotland, namely, "Subject to the aproval of the landlord which shall not be unreasonably withheld," would easily meet the case.

VISCOUNT TURNOUR (Sussex, Horsham) desired to emphasise the right they had on the Opposition side of the House to move and discuss any Amendment, having regard to the fact that the Bill had not been properly discussed at a previous stage.

MR. FELL (Great Yarmouth) said there appeared to have been some mistake made in the alterations effected in this clause in Committee. According to the clause, if the tenant refused to renew the tenancy, should the offer of renewal be held to be reasonable, there would be no compensation in respect of any improvement. With regard to the case of a man's dying during a short tenancy mentioned by the Attorney-General for Ireland, the executors would continue to hold the lease until it expired, or else dispose of it. The tenant must die either on the day of his quitting the holding or on the day in which the lease expired, otherwise it would be for the executors to elect whether they should take the lease or not. He thought that the clause needed some reconstruction by reason of the alterations that had been made, because if the tenant were quitting the holding he was no longer the tenant, in which case he could not understand who the tenant was that had the right to dispose of the interest mentioned.

Amendment negatived

*MR. JAMES CAMPBELL, in moving the addition of the words—

> "Or that the landlord has given the tenant permission to dispose of his interest therein to an incoming tenant,"

said the object of the Amendment was, if possible, to check what might be an extraordinary mass of litigation which would necessarily occur if the clause was allowed to stand in its present form. He would suggest to the Chief Secretary a case where the tenant was going out and the landlord's valuer said the improvements were worth only £200, while the tenant said he would not take less than £500. Supposing the Court afterwards said that £200 was a generous offer, why in such a case should the landlord have been troubled with litigation? There was another case he proposed to cover by the Amendment. A landlord might say that he did not want to buy the improvements, but that he would allow the tenant to sell them, and that he had a new tenant who was prepared to pay for the improvements and give a fair price. Supposing he said a fair value was £200, but the tenant said they were worth £500 and dragged the landlord into Court, and the Court held that £200 was enough, why should a tenant be entitled to expose his landlord to the expense, worry, and annoyance of litigation? He suggested this was a reasonable Amendment which the Government ought to accept. If, however, the Government would accept the second half of the Amendment he would be prepared to waive the first part.

Amendment proposed to the Bill—

"In page 2, line 4, at the end to insert the words "or that the landlord has upon such terms as the Court may deem reasonable, either offered to purchase the interest of the outgoing tenant in such improvement or has given him permission to dispose of his interest therein to an incoming tenant."—(*Mr. James Campbell.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. CHERRY said he did not understand what the object of the right hon. and learned Gentleman was in moving these words. They were in the Bill already—

"A tenant of a holding who is quitting it shall not be entitled to any compensation in respect of any improvement when it appears to the Court that the landlord has made an offer which in the opinion of the Court is reasonable, of a new tenancy or of the continuance or renewal of the tenancy with the right to the tenant to dispose of his interest therein."

What more did he want than that?

*MR. JAMES CAMPBELL said what was in the Bill already was that an alternative to compensation was the offer of a new lease under a new tenancy, but the alternative his Amendment aimed at was not covered by the Bill.

*MR. CHERRY said he still failed to see it. The landlord could pay compensation at once to get the tenant out. If the landlord still wanted the tenant he could grant him a new lease, but if the tenant wanted to go away altogether then the landlord could offer him a new lease which the tenant could put up for auction, so that the landlord had every possible option under this Bill, and the Amendment was absolutely unnecessary.

SIR E. CARSON (Dublin University) said he really found a difficulty in believing that the right hon. Gentleman did not understand the Amendment, particularly the latter portion, because the words were taken from the Act of 1870. The right hon. and learned Gentleman said that every case was provided for. Might he once more go over the different alternatives? There was the alternative of giving a new tenancy, and the alternative of giving a renewal to the old tenant, which was very much the same thing. But the right hon. and learned Gentleman must see that there was another alternative, namely, that the landlord might not give a new tenancy, and the tenant might not want it, but he might let the tenancy to someone at hand, who was willing to take it. What this Amendment said was that in such a case as that, if he gave permission to the old tenant to arrange with the new tenant to purchase the improvements that should be the same as giving him the money for them. The words were exactly the same as in the Act of 1870. He had known the right hon. and learned Gentleman long enough to know that he had plenty of ability to understand a simple matter of this kind. Indeed, if his memory served him rightly, he believed the right hon. and learned Gentleman had written a book on this matter which was an excellent book and had a large circulation. No doubt one of the matters that that book dealt with was the right that a tenant had after the Act of 1870, of disposing of his improvements to the incoming tenant. Now the right hon. Gentleman said that that was absolutely indefensible, and threw over the Act of 1870, the one argument he had been advancing through these debates. There could be no hardship on the incoming tenant if this Amendment were carried.

Question put.

The House divided:—Ayes, 77; Noes, 336. (Division List No. 428.)

AYES.

Anson, Sir William Reynell
Anstruther-Gray, Major
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn. Sir H.
Balcarres, Lord
Baldwin, Alfred
Balfour, Rt. Hn. A. J. (City Lond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Beach, Hn. Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn. J. A. (Worc.
Craig, Chas. Curtis (Antrim, S.)
Craig, Captain James (Down, E.
Craik, Sir Henry
Cross, Alexander
Dalrymple, Viscount
Dixon-Hartland, Sir Fred Dixon
Douglas, Rt. Hon. A. Akers-
Duncan, Robert (Lanark, Govan
Fardell, Sir T. George
Fell, Arthur
Fetherstonhaugh, Godfrey
Forster, Henry William
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Haddock, George R.
Hamilton, Marquess of
Hardy, Laurence (Kent, Ashford
Harrison-Broadley, Col. H. B.
Hervey, F. W. F. (Bury, S Edm'ds
Hill, Sir Clement (Shrewsbury)
Hunt, Rowland
Kenyon-Slaney, Rt. Hn. Col. W.
Kimber, Sir Henry
Lane-Fox, G. R.
Lee, Arthur H. (Hants., Fareham
Liddell, Henry
Long, Rt. Hn. Walter (Dublin, S.
Lonsdale, John Brownlee
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield)
O'Neill, Hon. Robert Torrens
Parker, Sir Gilbert (Gravesend)
Parkes, Ebenezer
Percy, Earl
Randles, Sir John Scurrah
Ropner Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Staveley-Hill, Henry (Stafish.)
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell-(Lanark
Thornton, Percy K.
Tuke, Sir John Batty
Vincent, Col. Sir C. E. Howard
Walrond, Hon. Lionel
Wolff, Gustav Wilhelm
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE AYES—Sir Alexander Acland-Hood and Viscount Valentia.

NOES.

Abraham, William (Cork, N.E.
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Ambrose, Robert
Armitage, R.
Armstrong, W. C. Heaton
Asquith, Rt. Hn. Herbert Henry
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, John Emmott (Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beaumont, Hn. H. (Eastbourne
Beaumont, Hn. W. C. B (Hexham
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Belloc, Hilaire Joseph Peter R.
Benn, W. (T'w'r Hamlets, S. Geo.
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Brace, William
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt Hn. Sir J. T. (Cheshire
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Cameron, Robert
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clancy, John Joseph
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley)
Cogan, Denis J.
Collins, Stephen (Lambeth)
Condon, Thomas Joseph
Cooper, J. G.
Corbett, C. H. (Sussex, E Grinst'd
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugenee
Cremer, William Randal
Crombie, John William
Crooks, William
Crossley, William J.
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, John A. (Inverness-sh.)
Dickinson, W. H. (St. Pancras, N.
Dickson-Poynder, Sir John P.
Dillon, John
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Duncan, C. (Barrow-in-Furness

Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Field, William
Fiennes, Hon. Eustace
Findlay, Alexander
Flavin, Michael Joseph
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone, Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Hall, Frederick
Halpin, J.
Hammond, John
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Heaton, John Henniker
Helme, Norval Watson
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hogan, Michael
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope, W. Bateman(Somerset, N.
Horniman, Emslie John
Hudson, Walter
Hutton, Alfred Eddison
Idris, T. H. W.
Jacoby, Sir James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor(Swansea
Jones, Leif (Appleby)
Jones, William(Carnarvonshire)
Jowett, F. W.
Joyce, Michael

Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster)
Lamb, Ernest H. (Rochester)
Lamont, Norman
Langley, Batty
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lea, Hugh Cecil(St. Pancras, E.
Leese, Sir Joseph F.(Accrington
Lehmann, R. C.
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Macdonald, J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
MacNeill, John Gordon Swift
Macpherson, J. T.
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.
M'Callum, John M.
M'Crae, George
M'Mugh, Patrick A.
M'Kenna, Reginald
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G. Croydon(Launceston
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Molteno, Percy Alport
Mond, A.
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Murray, James
Nannetti, Joseph P.
Napier, T. B.
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W
O'Connor, John (Kildare, N.)
O'Donnell, John (Mayo, S.)
O'Donnell, T. (Kerry, W.)
O'Grady, J.
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Shaughnessy, P. J.

Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Perks, Robert William
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Robert John(Norfolk, E.)
Priestley, Arthur (Grantham)
Priestley, W. E. B.(Bradf'rd, E.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, Thos. (W. Monmouth
Richards, T. F. (Wolverh'mptn
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs)
Robertson, Rt. Hn. E. (Dundee
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L.(Cleveland)
Schwann, C. Duncan (Hyde)
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Snowden, P.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph(Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Tennant, Sir Edw. (Salisbury)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.
Thomas, David Alfred(Merthyr
Thomasson, Franklin
Tomkinson, James
Torrance, Sir A. M.
Toulmin, George
Verney, F. W.
Villiers, Ernest Amherst
Wadsworth, J.
Walker, H. De R. (Leicester)

Wallace, Robert
Walsh, Stephen
Walton, Sir John L. Leeds, S)
Ward, John (Stoke-upon-Trent)
Wardle, George J.
Wason, John Cathcart (Orkney)
Watt, H. Anderson
Wedgwood, Josiah C.
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitley, H. (Halifax)
Wiles, Thomas
Williams, J. (Glamorgan)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid)
Wilson, J.W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. Herbert Lewis.

SIR FREDERICK BANBURY moved to leave out sub-section (2), in order to give the Attorney-General an opportunity of explaining the proposal of the Government. He would like to know what the tenant was to receive compensation for, because the improvement would not have been made. The provision only applied in cases where the landlord had failed to fulfil his undertaking. How could the tenant receive compensation for something which had never been done? If the clause had meant that where a tenant suffered a loss because an improvement had not been made and his business or comfort suffered in consequence, compensation was to be given, that would have been another matter. The hon. Member for North Dublin who drafted this Bill had a Motion down to leave out this clause, and perhaps he would inform the House how a man could be entitled to compensation for an improvement which had not been made.

MR. CHARLES CRAIG seconded.

Amendment proposed to the Bill—

"In page 2, line 5, to leave out sub-section (2) of Clause 2.'"—(*Sir Frederick Banbury.*)

Question proposed, "That subsection (2) of Clause 2 stand part of the Bill."

*MR. CHERRY thought the only way to explain the clause was to read it, as he could not explain it in clearer language. Supposing in 1870 the tenant of a house wanted a new story put on, and the landlord said, "I would rather build it for you and I will do it within the next six months;" and if, after waiting, say, a year and a half, the landlord had not done it but instead made a further promise that he would do it within the next five years, the tenant would be justified in saying that he could not wait any longer and he might build it himself. In that case the tenant would be entitled to compensation from the landlord.

Question put, and agreed to.

MR. CLANCY (Dublin County, N.) moved to insert the words "made before the passing of this Act" in sub-section (3). The sub-section was one of the limiting and peddling Amendments originally contained in the Land Act of 1870, which so far as they had any effect at all had the effect of robbing the tenant of some of his property. The right hon. and learned Member for Dublin University had pretended the other night not to know the meaning of sub-section (3).

*MR. JAMES CAMPBELL: The hon. and learned Gentleman is not doing me justice. What I said was that I did not understand the meaning of it if put side by side with Clause 9 of the Bill.

MR. CLANCY said it was very strange if the right hon. and learned Gentleman did not understand it, for he was jointly responsible with the late Attorney-General, now Lord Atkinson, for introducing it into the Bill of last year. It was taken from the Land Act of 1870. He thought it was a great injustice that the present Chief Secretary and the present Attorney-General had accepted the sub-section. The limiting provisions in the Act of 1870 had cut down and destroyed the rights given to the tenants by the principal clauses, and the result had been to make the Act ineffective for its purpose, and to lead to increased agitation. He was afraid that he and his friends from Ireland had accepted this sub-section too readily in Grand Committee, but he was willing to stand to it if its operation was confined to the past. The effect of his Amendment would be so to confine it. If the sub-section was not confined to the past he did not understand how it would be possible to carry out any improvements in future at all. An hon. Member who had been opposing the Bill stated the other night that the words of sub-section (3) would become a common form in leases in the future—that was to say, that the landlord in order to prevent compensation being given for improvements done after the passing of this Act would put into the lease a condition that the tenant was not to make any improvements at all. He wanted by moving this Amendment to prevent such a condition being made. If a tenant in the past had made a contract not to make certain improvements he would allow it to prevail, but he held that in regard to the future they ought to allow Clause 3 of this Bill to regulate the proceedings between landlord and tenant. In all the debates on the Bill he did not recollect having heard a single word against the principle of Clause 3. Sub-section (3) of Clause 2, unless amended in the way he proposed, might prevent any improvements being made at all. He thought that in the interest of the country at large it would be a most deplorable thing that tenants who were able to make needed improvements in their business houses should not be at liberty to make them. The Act of 1870 contained a provision which largely mitigated the injurious effects of sub-section (3) which had been imported from that Act, it being provided that, subject to certain exceptions, the landlord should not forbid a tenant from making improvements which were necessary to carry on his business. He thought the Attorney-General, when importing the sub-section, might have imported it in its entirety.

MR. FLAVIN (Kerry, N.) seconded the Amendment.

Amendment proposed to the Bill—

"In page 2, line 14, after the word 'writing' to insert the words 'made before the passing of this Act.'"—(*Mr. Clancy.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. CLAVELL SALTER (Hants, Basingstoke) said that in his view this was the most important Amendment which the House had been called upon to consider on this clause. Sub-section (3) of Clause 2 was in no way inconsistent with Clause 9 of the Bill. Clause 9 provided that it should not be lawful to contract out of the obligation to give the tenant compensation for the improvements he had effected. It would be rendered unlawful if this Amendment was carried for any landlord to agree with any tenant, however willing both might be, that premises should remain or be repaired to keep them in their present condition, but that they should not be subject to alteration or improvement. It appeared to him that that would be a most serious thing to do. He trusted that the Government would adhere to the Bill on this point. He could not conceive anything more unjust than to say to a willing landlord dealing with a willing tenant that the premises should remain unaltered. He believed if the Bill passed this sub-section would be largely availed of by landlord and tenant, and that to a large extent they would be willing to contract on these terms. He earnestly hoped that the Government would be no party to making it impossible for landlord and tenant to contract to leave the premises in their present condition.

MR. DILLON (Mayo, E.) said hon. Members above the gangway seemed to be unacquainted with the conditions of Irish life. They spoke of agreements between a willing landlord and a willing tenant. Were they unaware of the fact that there were in many parts of Ireland whole towns belonging to single landlords, so that the landlord was lord and master of the existence and means of livelihood of every individual in the town? He had himself known several instances where the landlord held the lease or endeavoured to impose unreasonable terms and the choice lay between exile from one's native town, to go out a beggar, or to accept the landlord's conditions. In face of these facts was it reasonable to talk about a willing landlord and a willing tenant? He could mention hundreds of towns where this state of things existed, though fortunately a system of transfer was now going on which might to some extent prove a remedy. He did not pretend to understand English conditions thoroughly, but under them prosperity had sprung up, and enterprise and expenditure of capital were going on, while the country towns of Ireland were falling into decay, and men, even with money in the bank made by commerce in those towns, and anxious to spend it in the improvement of their holdings, had to deal with landlords who were absolutely indifferent to the prosperity of their tenants, and themselves lived at a distance, unaware of local conditions. What was the use of talking of a willing landlord and a willing tenant? Such towns as Loughrea and Arklow were owned by one landlord, who held the tenants at his mercy, and was in a position to say:—"If you do not accept these terms of occupancy you may go and wander over the face of the earth." One of the great objects of the Bill was to set loose the spirit of enterprise in these unfortunate towns, and to give some security to traders and the industrial population who were anxious to spend their money in improvements. If the Amendment was not accepted he feared the Bill would be useless. Already he was told that lawyers had been working in Dublin on behalf of the landlords in drafting a common clause for leases and agreements of tenancy that the tenant should not make any improvements, and if such a clause were legal all the virtue of the Bill, so far as the future was concerned, would be destroyed. He knew it would be pleaded that the Bill followed the Act of 1870, but already twenty-one amending Acts had been passed, many of which would have been unnecessary if the Irish Members of that time had been listened to. He appealed to the Government to accept the Amendment.

*MR. JAMES CAMPBELL said he would like to remind the House of an incident which occurred the previous evening when an hon. Member opposite supported an Amendment moved from the Opposition side of the House, the object of which was to protect a landlord in cases where improvements made by a tenant were of no value to the landlord. In the course of the discussion of that Amendment it was pointed out with great force that the landlords in that case would be protected, not merely by the Amendment put down on the paper, but also by this subsection (3) of Clause 2. He could only say that it would be a distinct breach of faith if the Amendment now before the House were accepted. The reasonable security given by the subsection to the landlord would be destroyed. The hon. Member for East Mayo had given a description of the condition of town tenants in certain parts of Ireland which, though in some respects rather highly coloured, was in the main, he admitted, true as regarded about ten isolated village communities in Ireland. Surely the hon. Gentleman might have known that this legislation was intended for Dublin, Belfast, Cork, and other towns of Ireland, and that the great bulk of the persons who were to receive the benefit of this paternal legislation would be wealthy merchants. [Several NATIONALIST MEMBERS: No, no!] Certainly. There were more town tenants in Dublin, Cork and Belfast than in the whole of the rest of Ireland. [AN HON. MEMBER: How many of them are wealthy?] He maintained that the bulk of them were certainly of sufficient intelligence to be able to protect themselves in the matter of securing a town house. The amendment, he admitted, had an application to a certain percentage of towns, just as there was a certain percentage of towns in England the whole of which belonged to one landlord. If that landlord was a generous man and encouraged his tenants they would see in England as they would in Ireland that the town or village was a prosperous one. If on the other hand he was a niggardly and selfish landlord, they would see in England as in Ireland that the village was a decaying one. It was absurd, however, to make that the governing principle in a Bill extending to all the great towns of Ireland where such considerations did not apply. They had in Dublin alone more town tenants than in all the communities to which the hon. Member for Mayo had referred. The Amendment would affect Dundalk, Belfast, Cork, and all the prosperous towns in the north and south of Ireland; and it was ludicrous to suggest that, because there were cases where the landlord was in possession of the fee-simple of the entire town, that principle was to govern the whole Bill. They had to have regard to the position of the bulk of the town tenants. Where was the injustice of this clause? The landlord had on the property a house, a villa, or a shop, and he did not want the condition of the house, villa, or shop to be altered. The house, shop, or villa was suitable for the purpose for which he let it, and he thought that it required no improvement. Was he to have that improvement thrust upon him against his will? Why, in the name of common sense, should the landlord not be allowed to contract with his tenant as follows: "If you take this house from me, you are to undertake not to spend your money on your own fancy improvements and make me pay compensation for them at the end of your lease, when I do not want them." If an hon. Gentleman opposite had a house in perfect condition, and if the tenant wanted to put on an additional story, why should the landlord be saddled with the expense of that additional story at the end of the lease when it was built against his wish? The thing would not stand argument. The only *bona-fide* protection which the right hon. and learned Gentleman had put in the Bill for the protection of the landlord was in the two Amendments now standing his name.

*MR. CHERRY said that the hon. and learned Member who moved the Amendment had stated that he was responsible for this clause. The hon. Gentleman was perfectly right in that. It was introduced by him in Grand Committee, and he thought the hon. Member was present and assented to it. He did not think it was treating the Government fairly for the hon. Member who was responsible for the preparation of the Bill to assent to the Amendment and afterwards make an attack upon the Government on the Report Stage. The Government still thought the proposal fair and reasonable. The case had been put the other day by an hon. Gentleman opposite of a man who, having a special objection to a particular change being made in his house, entered into an agreement that it should not be made. Would it not be most unreasonable after making an arrangement of that kind to turn round and make the change proposed? He had, during the last twenty-five years, read thousands of leases and he never yet came across a lease where there was a covenant not to make improvements.

MR. CLANCY: You get hundreds of them.

SIR E. CARSON: Does the right hon. Gentleman include in that statement contracts not to make structural alterations?

*MR. CHERRY said he did not. It might be the common form in English leases but he did not think it was in Irish leases. He never saw a covenant not to make an improvement. Of course a complete alteration of the nature of the premises would be outside of any contract. At all events, as regarded existing improvements in Ireland, he did not think there was a single one which would be excluded by this clause. He had heard many cases of fixing fair rents in Ireland, but he had never heard of a case in which a clause of this kind was made use of. It was quite clear, therefore, that as regarded past improvements involving millions of pounds this clause would not injure tenants in the least. The tenants who held under existing leases could not be forced to take any other terms than those expressed in the existing covenants. Of course, if the tenant covenanted not to make any improvements the matter was different, and, that being so, the only cases to be dealt with were future lettings by landlords to tenants. They knew that tenants very often changed their minds, and although landlords were abused very much he did not think they were so unreasonable as the hon. Member for East Mayo supposed. He did not think that every landlord would insist that in letting a house a clause of this kind should be inserted. If the landlord did the tenant ought to be careful. He went into the bargain with his eyes open knowing that he was dealing with an unreasonable man, and he should say that he would not enter into it. (Mr. CLANCY: "He could go to New York.") He need not go to New York. He could go to Dublin or Cork or other parts of Ireland where there were hundreds of landlords ready to receive him. They were not dealing with old tenants but with new tenants, and surely it would be an unreasonable thing to prevent landlords protecting themselves in this way. The hon. Member for East Mayo had dealt with the subject most thoroughly, and there was a clause in the Bill which provided that any contract by which the tenant contracted not to claim compensation was to be valid unless in the opinion of the Court it was unreasonable. Upon the discussion of that clause, if it was reached, which he feared it would not be, they could discuss the general subject. The hon. and learned Member for North Dublin had mentioned that he (the Attorney-General for Ireland) had copied this clause from the Act of 1870. The right hon. Gentleman opposite knew that he had a great affection for the Act of 1870.

SIR E. CARSON: At times.

*MR. CHERRY said it was true that he had substantially copied it, with the omission of some words which were unsuitable. The Act of 1870 laid down a hard and fast rule that no tenant who had a holding under £50 rental could contract himself out; and that anybody with a rental of over £50 could do so in any way he pleased. The Government took a different line and said that there should be no unreasonable contracting out whether the holding was large or small, and no matter how small or how large it might be. They thought the limitation of valuation could not be applied in the case of house property as in the case of farms because the occupier of a small house might be a rich man, whereas the occupier of a small farm was usually a poor man. This was their justification for departing from the Act of 1870 in regard to contracting out.

MR. J. REDMOND (Waterford) said he was not convinced by the speech of the Attorney-General. He thought that adequate protection of the landlord in all cases of future leases was afforded by Clause 3. He was surprised at the attitude of the Government, but in view of the arrangement come to yesterday to finish if possible by eleven o'clock, he thought it would be unfair if he and his colleagues who discussed these matters in Grand Committee took up an unreasonable amount of time. They were anxious that the time should be left to hon. Gentlemen above the gangway who took a strong objection to the Bill. Under these circumstances he would advise his hon. friend to withdraw the Amendment.

Amendment, by leave, withdrawn.

*MR. CHERRY moved to insert as a new subsection—

"(4) A tenant shall not be entitled to any compensation in respect of any improvement made whether before or after the passing of this Act in pursuance of a contract entered into for valuable consideration.'"

The object, he explained, was to provide that a tenant was not to be paid twice over for improvements. If a tenant had entered into a bargain of any kind with his landlord to make an improvement, and if he had received valuable consideration, he was not to turn round at the expiration of a number of years and ask for something further. This was already the law as regarded agricultural holdings in Ireland and the law, not only as regards questions of compensation, but also as regards the fixing of fair rents. It was an original provision of the Act of 1870 which was given effect to by the Act of 1881 when rents came to be fixed between landlords and tenants. The terms of tenant's rights as regards improvements were varied and considerably extended by the Act of the late Government in 1896, but the landlords' rights as to improvements made for valuable consideration were left untouched. That was a very important matter for the House to remember as the tenant's rights with regard to improvements were very much extended by that Act. He thought this was a reasonable Amendment. The most common case was that of a building lease where a man got a lease for ninety-nine years either in pursuance of an agreement to build a house or containing a covenant that he would build a house within five years or some term of years. In such cases as those the agreement was expressed on the face of the lease, but this Amendment would also prevent a tenant at any future time seeking to get compensation for the house which he put up in consideration of having received valuable consideration of any kind.

Amendment proposed to the Bill—

"In page 2, after line 15, to insert the words, '(4) A tenant shall not be entitled to any compensation in respect of any improvement made before or after the passing of this Act in pursuance of a contract entered into for valuable consideration.' "—(*Mr. Cherry.*)

Question proposed, "That those words be there inserted in the Bill."

MR. CLANCY said that this was one of those niggling and unnecessary Amendments introduced into the Act of 1870, and it was supported in the Grand Committee by the Government on the ground that if it was not necessary it would be, at any rate, harmless. They had not, as represented, forgotten the case of a person who took land and undertook to build a house, getting the land at a low rent. They had already provided for that in the Bill under subsection (2) which in effect made a much more comprehensive provision for the protection of the landlords than this proposed provision of the Bill would ever do. It was there provided that the Court, in awarding compensation to the tenant in respect of such improvements, might in the reduction of the tenant's claim take into consideration the rental at which such holding had been let and any benefits which the tenant might have received from his landlord in consideration, expressly or impliedly, of improvements. He could imagine nothing wider than that. If a tenant had got a lease on consideration of his promising to build a house, that subsection would prevent him from getting compensation, and he could not understand what was to be gained by this addition to the Bill. He thought the Government were too timid and were impressed with the idea that every time an opponent of the Bill got up and put a plausible concession they should at once agree to it.

*MR. CHERRY said he had moved this Amendment in Grand Committee himself, and not at the instigation of any hon. Member, but of his own Motion.

MR. CLANCY said that after the views which had been expressed by the hon. Member for Waterford he would not press his objection to the Amendment, but would leave the time open for the real opponents of the Bill to criticise the measure.

Question put, and agreed to.

*MR. JAMES CAMPBELL proposed the following addition to the clause:—"A tenant shall not be entitled to claim compensation for any improvement, except permanent buildings, unless made within twenty years before the date of such claim." He said this Amendment was of great importance, but it was quite impossible to predict its fate. It complied with the provisions which were said to be so necessary in this Bill, and was taken verbatim from the Land Act of 1870. Right hon. and hon. Gentlemen opposite had said again and again that they were charmed by the analogy between this Bill and the Act of 1870; that the analogy was very perfect, so perfect that this Bill should be kept on parallel lines and the whole legislation should run together. He hoped the analogy would not break down here, because to keep the analogy in this case would be to give some protection to the landlord against unreasonable demands by his tenants. The matter was considered in Grand Committee, and it was first suggested that the Act should only apply to permanent buildings; that nothing should be considered an improvement within the meaning of the Act unless it took the shape of a permanent building or a permanent addition to a building. But it was pointed out that many tenants of town houses had spent substantial sums in draining or restoring the drainage of their houses, and that probably it would be difficult to bring such an expenditure within the meaning of the definition of permanent buildings or additions to permanent buildings. Therefore in the Grand Committee any definition which would confine the improvements to anything in the nature of structural improvements was avoided. The amendment proposed that no improvement should be compensated for, if made more than twenty years prior to the bringing of the claim, unless it were in the nature of a permanent building or an addition to a permanent building. It was a perfectly fair and reasonable proposition; it would not exclude matters of drainage provided they had been made within twenty years of the bringing of the claim, and he thought if a tenant had had twenty years enjoyment of the improvement for his expenditure other than expenditure for permanent improvement or drains he had done very well. But if the drains had been made or laid for more than twenty years prior to the claim being made it was unfair that they should be made the subject of a claim upon the landlord. Every protection was given to the tenant when he was allowed to claim for permanent buildings, no matter how old they might be, provided that at the date of his claim they added to the letting value of the holding. But it would not be wise to leave the law in such a condition as to allow a tenant to claim for an improvement made 100 years before, in respect of matters that did not form a permanent improvement. The House might take it from him that a clause identical with this was incorporated and passed in the Act of 1870 as applicable to agricultural land. The only distinction between the two was that in that clause in addition to permanent buildings there was the reclamation of waste lands. For every substantial purpose he had taken this clause from the Act of 1870 and he could not see why right hon. and hon. Gentlemen who had expressed themselves as having so much admiration for the Act of 1870, and who were so desirous of continuing the analogy between this Bill and that Act, should refuse to agree to this proposal. He hoped the Amendment would receive favourable consideration.

Amendment proposed to the Bill—

"In page 2, line 15, at the end, to insert the words 'a tenant shall not be entitled to claim compensation for any improvement except permanent buildings unless made within twenty years before the date of such claim.'"—(*Mr. James Campbell.*)

Question proposed, "That those words be there inserted in the Bill."

*Mr. CHERRY said the right hon. and learned Gentleman was apparently slightly in error in saying that he had literally copied this Amendment from the Act of 1870. The words of the Act of 1870 were—

"In respect of any improvement made before the passing of this Act."

If the right hon. and learned Gentleman would agree to amend it in that form he (Mr. Cherry) would accept it. He quite agreed that after twenty years most improvements not of a permanent character would be destroyed or worthless, and he should say that no records would have been kept with regard to improvements made before 1885. With regard to future improvements, they were amply protected by Clause 3, under which the landlord would have notice of the making of an improvement and he could go in and object if he liked. If he did, a strict record would be kept and the matter would be dealt with by the Court. To ask a landlord to pay for improvements which were made 100 years before and which were not in the nature of permanent buildings he agreed would be unfair.

*Mr. JAMES CAMPBELL said he would accept the suggestion of the right hon. and learned Gentleman, and move his Amendment in that form.

Amendment to the Bill amended, by inserting, after the word 'improvement,' the words 'made before the passing of this Act.'"

Proposed words, as amended, there inserted in the Bill.

Colonel KENYON-SLANEY, in the absence of the hon. Member for the Everton division of Liverpool, moved an Amendment disentitling the tenant to any compensation for improvements made within the last two years of his tenancy without the consent of the landlord. His principal reason for moving the Amendment was the possibility that a landlord of a considerable number of tenancies might have in his mind the desirability of making certain substantial improvements when the tenancies fell in. He might be considering the advisability of a total alteration of his property; he might desire to change small tenancies into large ones, or to alter the position of the tenancies in order to take advantage of a particular water supply or system of drainage. Such a matter was not a thing to be done in a moment. It was a matter to prepare for both in regard to plans and expenditure and other matters incidental to the management of a large estate. He thought if tenants were allowed within two years of the expiration of their lease to make improvements for which the landlord had to compensate them it might have the effect of lessening his ability to make those improvements and alterations which would be to the benefit of the people and the town in which his property was situated. Two years would not too long a period to allow a man for the contemplation of large alterations, and so far as the tenant was concerned it would be unreasonable to allow him to make improvements which would entail a liability on the part of the landlord to pay compensation in such a case. There was always a possibility of some bogus improvement being started in order to make good a claim for compensation, but his point was that the landlord should know within two years of the tenancy falling in exactly what his obligation for compensation would be when he took possession of his property.

CAPTAIN CRAIG (Down, E.), in seconding the Amendment, pointed out how absolutely necessary it was that some provision of this sort should be embodied in the Bill, so that those who were landlords, in the technical sense of the term, in large towns might know exactly how they stood with regard to their obligations when making preparations for re-letting the holding at the expiration of the tenancy. In no case was it so important as in that of the small proprietors who depended for their income upon the little property they possessed. There were, undoubtedly, a large number of people who would be absolutely unable to protect themselves from improvements made within the period of two years of the expiration of the tenancy—people who drew only £50 or £60 a year from their property. There were a large number of such landlords in the towns, and it was only fair that they should know exactly how they would stand at the expiration of the tenancy, and that they should not be compelled to pay heavy claims for compensation for improvements effected in the last two years of the tenancy. He hoped the right hon. Gentleman would show the same conciliatory spirit that he had exhibited on a previous Amendment. The Ulster Members were not opposed to the spirit of the measure, but they were opposed to the many wrongs in the Bill. This was a point on which the right hon. Gentleman might reasonably give way.

Amendment proposed to the Bill—

"In page 2, line 15, after the words last inserted, to insert the words 'or in respect of any improvements made without the consent of the landlord during the last two years of the tenancy."—(*Col. Kenyon Slaney.*)

Question proposed, "That those words be there inserted in the Bill."

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.) did not think this Amendment was necessary. It would not apply to future agreements, for if the Court thought a tenant had executed improvements unreasonably at the end of his tenancy with a view to getting compensation they would undoubtedly refuse such compensation. In the case of a lease, if a tenant towards its expiry executed improvements on the mere chance of making something out of the landlord, that he thought would be a too speculative undertaking, because the Court would investigate the character of the claim and would not be likely to award compensation in such a case. In the case of yearly tenancies the Amendment could not apply, because it could not be known till the tenancy was determined which were the last two years. It was almost the regular custom both in small and large towns to renew yearly tenancies. If a tenant made improvements in the belief that the landlord would allow him to go on and the landlord suddenly turned round and refused to grant a renewal, that would be a hardship on the tenant, because if the Amendment were carried the improvements would have been executed within two years of the termination of the tenancy, and the tenant would get no compensation. That would be an injustice which he was sure the right hon. Members who brought forward this Amendment would not wish to bring about.

Sir E. CARSON said that with a good deal of what the Chief Secretary said he was in agreement, and it might not be necessary to press the Amendment to a division. The Amendment would not be applicable to yearly tenants. There was, however, one matter which he was not sure he quite understood, namely, that after the passing of the Act the tenant could not make an improvement without the sanction of the Court. As he read the section it did not leave a general discretion to the Court. It merely laid down a special matter for the sanction of the Court. The Court had no power with regard to the last two years of the lease. There was another matter of considerable importance. Sub-section (3) of the first section said—

> "A tenant shall not be entitled to any compensation in respect to any improvement made, whether before or after the passing of this Act, in contravention of a contract in writing not to make the improvement."

He could see no reason why after the word "made" the Government could not put in the words "during the last two years of the tenancy." In that way he thought the object of his right hon. and gallant friend would be met. He understood that in the case of leases the landlord could stipulate in the agreement that no improvements were to be executed within two years of the termination of the lease.

The ATTORNEY-GENERAL (Sir John Walton): I think he could do that.

Sir E. CARSON: Then under the circumstances we need not press the Amendment.

Mr. CHARLES CRAIG said it seemed to him that under this section some hardship would be done to a landlord who was trying to sell his houses the leases of some of which were just about to terminate. No prospective buyer would dream of purchasing a house without knowing what he would have to pay in compensation for improvements when he bought them. The Amendment would meet such a case as that. As it was a buyer might say to the landlord, "I cannot give you for your house what I might otherwise do, because I have no idea what may be awarded against me as compensation for improvements." Thus the landlord would have a great loss inflicted on him.

Colonel KENYON-SLANEY said a new and important argument had just been adduced upon this Amendment, and he in the face of the argument did not see his way to withdraw the Amendment.

*Mr. CLAVELL SALTER agreed with right hon. and hon. Gentlemen opposite that the Court in a case of this kind would have a complete discretion. His right hon. friend did not, however, take that view. He confessed he thought this Amendment would not be necessary in the case put forward by the Chief Secretary. In the case of a claim for compensation for improvements made within the last two years of the tenancy coming before the Court the Court would be able to say, "We disapprove of this improvement because you have so little interest." But the word "may" was sometimes an empowering word, and, therefore, he suggested, if his right hon. and gallant friend withdrew this Amendment, that the Government should add after "may" the words "in its discretion."

Mr. BRYCE thought that would be going rather far. It would go further than the hon. Gentleman contemplated, because it would throw upon the Court a wider discretion than it was fair the Court should have.

SIR FREDERICK BANBURY said he gathered the right hon. Gentleman's strong objection to this Amendment was its effect on the tenants' holding from year to year. He would in that case suggest to his right hon. and gallant friend that he should amend his Amendment by leaving out the word "tenancy" and putting in the word "lease." That would meet the objection of the right hon. Gentleman the Chief Secretary because then it would not apply to yearly tenancies.

MR. BRYCE said that was only one class of case that he dealt with. He thought it was unnecessary for other reasons which he had given.

COLONEL KENYON SLANEY said if they would accept the Amendment in that form he would be glad so to amend it. He based his argument in favour of the Amendment entirely on one point, and that point had not received the slightest reply from right hon. Gentlemen opposite. His object in moving the Amendment was to prevent the extreme injury that the clause might inflict on any large scheme of development which the landlord might have in view.

*MR. CHERRY said the right hon. Gentleman the Member for the University of Dublin had already pointed out that the Amendment was rendered unnecessary by the clause which they had just passed. Therefore he thought it was unnecessary to discuss it further.

COLONEL KENYON-SLANEY asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

MR. CARLISLE (Hertfordshire, St. Albans) moved after the word "improvements," to insert the words "and shall apply to the Court for directions as to what further notice of the proposed improvement shall be given and in what manner and to what persons." He thought it desirable that it should be clearly laid down to whom notice of improvements was to be given. A tenant desiring to make an improvement had under Clause 3 to give his landlord notice, and three months were allowed for objections, but there might be between the landlord and tenant quite a number of persons interested in the property. The tenant might give notice to his landlord, who, being an intermediate landlord, might not inform the superior landlord. Probably the intermediate landlord had only a short interest and he might be indifferent as to what happened to the property. He might be a man of straw who did not care. The superior landlord who had a permanent interest in the property might receive no notice of intended improvements, and therefore it was desirable that provision should be made for notice to be sent to him. Was it reasonable that notice should be sent to the intermediate landlord and not to the superior landlord? For these reasons he thought it was extremely desirable and reasonable that some such modification as that which he proposed should be accepted. The Bill might also require that under the direction of the Court the tenant might be called upon to advertise the fact that he proposed to make certain improvements, and copies of the notice might be attached to his premises. He begged to move.

LORD R. CECIL (Marylebone, E.) seconded. He thought the Government would realise that there must be some means of the persons who ultimately had to pay being given proper notice.

Amendment proposed to the Bill—

In page 2, line 20, after the word "improvements," to insert "and shall apply to the Court for directions as to what further notice of the proposed improvement shall be given and in what manner and to what persons."—(*Mr. Carlile*).

Question proposed, "That those words be there inserted in the Bill."

*MR. CHERRY thought the hon. Member who moved and the noble Lord who seconded had not studied the Bill very carefully, because the clauses already provided for this case. The proposal contained in the Amendment was that any man who was going to make improvements must serve notice not only upon his own landlord but also upon all other landlords. If the tenant had to apply to the Court for directions that would increase the cost enormously. It was already provided for in the Bill that the tenant must serve notice upon his immediate landlord and they had also provided that that immediate landlord was to give notice to his landlord.

*MR. JAMES CAMPBELL said the position was that wherever the tenant proposed to make an improvement he had to serve notice upon his immediate landlord, but there was no provision by which the next succeeding landlord was to receive notice. The provision in Clause 4 only dealt with claims which provided for the documents once a claim had arisen. What was required was that the superior landlord should have the same opportunity to object as the middle landlord, who might be in collusion with the tenant, and having got notice of the intended improvement himself might take no notice of it. He would suggest that an Amendment to meet the difficulty should be inserted when they reached Clause 4 with the object of securing that not only should notice of the claim be served upon the middleman and the superior landlord, but also notice of the intention to make improvements.

*MR. CLAVELL SALTER thought the proper time to discuss this question would be when they reached Clause 4. There was an Amendment standing in his name which would meet this case. The Bill only provided that the immediate landlord should be consulted; and those who would have to pay might not be consulted at all as to whether the improvements should be sanctioned. Consequently they might be called upon to pay for improvements which they might have successfully resisted if they had been consulted.

*MR. CHERRY said the second part of Clause 4 could only refer to notices of intention to make improvements, because no other notices were mentioned. He thought the noble Lord who raised the point would see that he was right.

MR. WYNDHAM (Dover) said there were great many ninety-nine years leases, and a great deal might happen in ninety-nine years. One large landowner owning the greater portion of the land of a town might let off a portion of it to other persons, and the tenants might know nothing whatever of the existence of the head landlord or the original building lease. Without any collusion and through legitimate ignorance the tenant might serve notice upon the man who to him was the landlord, but who under this Bill was under no obligation to give notice to the superior landlord.

*MR. CHERRY suggested that the words of an Amendment of which notice had been given with regard to Clause 4 might be so altered as to admit of the whole subject being considered.

Amendment, by leave, withdrawn.

MR. CARLILE moved to insert after "three months," the words "or such further time as the Court shall prescribe." When they considered the number of questions that might arise between landlord and tenant he thought it was reasonable that if the Court saw fit the period of three months should be extended. He thought the discretion might very well lie with the Court. There were certain cases where the interests were multitudinous, and it was desirable that there should be power given to the Court to exercise this discretion, in order that difficulties of a complicated nature which were likely to arise in many cases might be dealt with.

LORD R. CECIL seconded the Amendment. The difficulties pointed out by his learned friend would arise, and he thought there could be no harm in giving the Court discretion to extend the time. Unless this discretion was vested in somebody there would always be danger of considerable injustice being done.

Amendment proposed to the Bill—

"In page 2, line 21, after the words 'three months,' to insert the words 'or such further time as the Court shall prescribe.'"—(*Mr. Carlile.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. CHERRY said it was absolutely necessary that there should be a fixed period of time in which the landlord should serve notice of objection. He thought in these days of telegraphs, telephones, and rapid transit, the period of three months would be sufficient for the purpose contemplated in the clause.

Question put, and negatived.

VISCOUNT CASTLEREAGH (Maidstone) proposed to insert words to provide that before sanctioning improvements referred to the Court, the Court should be satisfied that the addition to the letting value made by the improvement should be "commensurate with the proposed outlay." This was purely a drafting Amendment. At the present moment there was nothing in the Bill which would prevent the Court from allowing compensation for an improvement which would not in the letting value of the premises represent the outlay which the tenant had made.

SIR FREDERICK BANBURY seconded the Amendment, which he thought would safeguard the right of the landlord if he had to find the money, for he might be able to recover some reasonable rate of interest. As the Bill stood the Court would be able to award to a tenant £500 which he had spent on improving his house, although the improvement had not added £5 to the letting value of the house.

MR. BRYCE indicated dissent.

SIR FREDERICK BANBURY said the right hon. Gentleman shook his head. He would be very glad if he was wrong in his conclusions, but if that was so he submitted to the Chief Secretary that there was no reason for refusing this Amendment. It was desirable to make the Bill as clear as it possibly could be made, so that landlords and tenants might be able to arrange matters without the assistance of lawyers.

Amendment proposed to the Bill—

"In page 2, line 28, after the word 'holding,' to insert the words 'to an extent commensurate with the proposed outlay.'"—(*Viscount Castlereagh.*)

Question proposed, "That those words be there inserted in the Bill.".

MR. BRYCE said this Amendment would not give relief to either landlord or tenant. It would be distinctly against the landlord. The measure of the additional letting value resulting from an improvement was not the amount of the tenant's outlay. The Government had said from the beginning that the landlord was to pay for the value added to the holding coming back into his hands. The noble Lord's Amendment suggested that they were to shift the measure of the value from the benefit to the holding to the amount which the tenant had expended, and that might expose the landlord to be called upon to pay a much greater amount of money than he ought to pay. The question whether the tenant carried out an improvement economically or lavishly was not one with which the Court had anything to do. The Court had nothing to do except to estimate the benefit which the landlord had received. It would disturb the basis of the Bill if they were to take anything but the letting value of the holding. He hoped the noble Lord would not press the Amendment.

SIR E. CARSON said the right hon. Gentleman had stated that the only sum which the tenant was to get was that which represented the addition to the letting value. He had not been able to find that anywhere in the Bill. He thought it was the intention, but it was not in the Bill. All that the Bill said was that the improvement should be something which added to the letting value of the holding. There was nothing in the Bill to show that the tenant should only get so much of the value of the improvement as added to the letting value.

MR. BRYCE said it was obvious.

SIR E. CARSON said there was nothing in the Bill to carry out what the Chief Secretary stated. He hoped the right hon. Gentleman would have it made clear in another place that the addition to the letting value resulting from the improvement was what would be awarded. He thought that the Amendment of the noble Lord was a great improvement.

Mr. BRYCE said he was unable to see that the basis could be other than he had stated. However, he would look at the matter again as the right hon. and learned Gentleman desired, and have the words further considered.

*Mr. CLAVELL SALTER said he had listened with some anxiety to the speech of the right hon. the Chief Secretary. Some of the apprehension he had had in regard to the first four clauses of the Bill was allayed by the thought that between the parties there was interposed the unfettered discretion of the Court. If there was that unfettered discretion the Amendment would be unnecessary. His own desire was that the Court should be absolutely free to disallow an improvement made by a tenant on the ground that the expenditure would be unwise and too profuse, that the end of the term of tenancy was too near for a large expenditure, or because it was the landlord's intention at the end of the tenancy to alter the whole character of the holding, and let it in some other way, and that therefore the improvement would be wasted. In these, and other such matters, the discretion of the Court should be made clear.

*Mr. JAMES CAMPBELL said he hoped the noble Lord would not press his Amendment. He entirely agreed with the view of the right hon. the Chief Secretary, but the discussion had been useful in making the intention clear that the measure of compensation should be commensurate with the increased letting value. He was assured that the Amendment would not have the effect intended by the noble Lord.

Viscount CASTLEREAGH asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

Mr. CHARLES CRAIG said that it was quite conceivable that an improvement might be suitable to the character of the holding, and yet not be reasonable. In the case of a house in a terrace, an improvement on the house might interfere with the symmetry of the architecture of the whole terrace. He therefore moved the insertion of the words "reasonable and."

Amendments proposed to the Bill—

"In page 2, line 28, after 'is,' to insert the words 'reasonable and.'" — (*Mr. Charles Craig.*)

Question, "That those words be there inserted in the Bill," put, and agreed to.

Amendment proposed to the Bill—

"In page 2, line 28, after the word 'thereof' to insert the words 'and will not diminish the letting value of any other property of the same landlord.'"—(*Mr. James Campbell.*)

"In page 2, line 34, to leave out the word 'may,' and insert the word 'shall.'"—(*Mr. Clancy.*)

"In page 2, line 35, after the second 'and' insert the word 'may.'"—(*Mr. Clancy.*)

Amendments agreed to.

Amendment proposed to the Bill—

"In page 2, line 37, after the word 'or,' to insert the words 'at the election of the tenant.'"—(*Mr. Clancy.*)

Mr. A. J. BALFOUR (City of London) thought that the House should have a brief explanation why this Amendment was to be accepted.

Mr. CLANCY said that there were two alternatives provided by this subsection for repaying the landlord for improvements which he had executed. The one was that the tenant should pay 5 per cent. per annum on the outlay incurred, and the other that a fixed sum should be paid for a period of twenty-five years. What he wanted by his Amendment was to give the tenant the option of adopting either of these alternatives.

Amendment agreed to.

Mr. CLANCY said he had another Amendment to propose. The sub-section as it stood said that the tenant was to pay such an annual sum for twenty-five years as would repay the cost of the improvement made by the landlord, with interest at the rate of 3 per cent. per annum. He thought it would not be fair to make the tenant pay interest on the whole sum, when the amount due to the landlord was being reduced every year. Surely what was intended was that the tenant should only pay interest on the sum which was actually due, and that was the object of his Amendment.

MR. JOHN REDMOND seconded the Amendment.

Amendment proposed to the Bill—

"In page 2, line 40, after the word 'annum,' insert the words 'or on so much of the outlay as shall be from time to time due.'"—(*Mr. Clancy.*)

Question proposed, "That those words be there inserted in the Bill."

SIR E. CARSON thought that the section as it stood was perfectly accurate, and that to insert the Amendment would be to upset the calculation as to what was to be paid by annual instalments.

*MR. CHERRY thought the Amendment was unnecessary, but it did not alter the intention of the clause at all. This annuity at 5 per cent. per annum would be like the annuity payable under the Land Purchase Act and would be accompanied by the creation of a sinking fund. That was the intention of the clause, and he did not think it would be carried out more clearly by the words of the hon. Member than it was by the Bill. It was intended to be calculated on the amount originally advanced. He was quite willing, however, to accept the Amendment although he did not think it made any difference.

SIR FREDERICK BANBURY said the Amendment did make a difference in this way. The Bill as it stood and the Amendment both aimed at the same object, namely, that the sum should be sufficient at the end of twenty-five years according to actuarial calculation to yield the sum required. If, however, the Amendment of the hon. Gentleman were accepted, a fresh calculation would have to be made every year and this would cause both landlord and tenant considerable trouble. The clause as it stood, he could assure the right hon. and learned Gentleman, was quite capable of being understood in business circles, and if it was adhered to it would save both landlord and tenant a considerable amount of calculation.

MR. CLANCY said he understood that the Attorney-General for Ireland stated that the Bill carried out the intention which he had in his mind. He would therefore withdraw the Amendment.

Amendment, by leave, withdrawn.

VISCOUNT CASTLEREAGH moved to insert a new sub-section, which provided that a landlord might require a tenant to make any improvement in the holding which might seem calculated to enhance or necessary to maintain the character or letting value of the holding, and if the tenant did not within three months after the receipt of the notice undertake to make the proposed improvement himself the landlord might proceed to make the improvement and might charge the tenant an annual sum to cover the outlay on the improvement, with interest at the rate of 3 per cent. per annum. The Amendment also provided that if the tenant refused to make the proposed improvement or failed to execute the improvement within a reasonable time the landlord might apply to the Court for power to make the improvement. He explained that the Amendment was put down with a view of placing the landlord in the same position as the tenant. The Bill enabled the tenant having given certain prescribed notices to the landlord to make improvements whether the landlord approved of them or not, and at the end of the term the tenant was to be compensated for those improvements unless the landlord chose to make them himself. His Amendment embodied the converse of that and enabled the landlord to make the improvements himself and charge the tenant interest on the capital he invested. The clause as at present drawn was one-sided, but his Amendment would enable the landlord to prevent his holding from becoming deteriorated. The hon. Member for East Mayo had spoken of the deplorable condition of certain town property in Ireland. The reason for this decaying condition of the property was that it was let through a middleman and it was impossible for either the tenant or the middleman to spend money in carrying out improvements on the property. He wanted the landlords to have the power of entering upon their property and carrying out improvements for its benefit. They knew very well that large portions of the cities of Dublin, Belfast, and Cork were occupied by what were known as slum tenants, and it was impossible for the tenants who took the tenancies through a middleman, and had in consequence to pay a higher rent than they otherwise would do, to carry out improvements. It was obviously for the benefit of the landlord as well as of the tenant that the landlord should be in a position to keep his property in a good condition and to make the improvements which were needed without difficulty. If the words of his Amendment were not suitable he hoped the right hon. and learned Gentleman would see his way in some manner to carry out the intention which he had in view. He was encouraged to move the Amendment by the kindly and appreciative words which the learned Attorney-General had spoken about landlords in one of the previous speeches he had made in the course of the evening.

Amendment proposed to the Bill—

"In page 2, line 42, at the end, to insert the words, '(3) A landlord of a holding may, at any time during the continuance of a tenancy therein, send notice to the tenant, in the prescribed manner, requiring him to make any improvement in the holding which may seem to the landlord calculated to enhance or necessary to maintain the character or letting value of the holding. The landlord shall send with such notice a specification or plan of the proposed improvement, and if the tenant does not within three months after the receipt of the notice send notice to the landlord, in the prescribed manner, undertaking to make the proposed improvement himself, the landlord may proceed to make the improvement, and may charge the tenant with a sum not exceeding five pounds per centum per annum on the outlay incurred in executing the improvement, or not exceeding such annual sum payable for a period of twenty-five years as will repay such outlay in the said period, with interest at the rate of three pounds per centum per annum, and such annual sum shall be recoverable as rent. But if the tenant sends notice to the landlord, in the prescribed manner, refusing to make the proposed improvement and objecting to same being made, or if, having undertaken to make same he fails to execute the improvement within a reasonable time, the landlord may in the prescribed manner apply to the Court, and the Court may, if satisfied that the improvement is calculated to enhance or necessary to maintain the character or letting value of the holding, sanction the making of the proposed improvement by the landlord and may make any modifications in the specification or plan that the Court may think fit.'"—(*Viscount Castlereagh.*)

Question proposed, "That those words be there inserted in the Bill."

MR. BRYCE said that at first he was captivated by this Amendment, and he admired the ingenuity which the noble Lord had displayed in framing it. It had the appearance of fairness, and he would have been inclined to view it with favour were it not that the position of the two parties in regard to the property was not the same. The noble Lord and his friends were much concerned about the amount of litigation which this Bill would necessitate; but he was afraid that if he accepted this Amendment another crop of litigation would be the result. He could not on reflection see any necessity for such a provision. The reason why the power of making improvements was given to the tenant was because he was in possession of the premises and knew what was needed. The tenant wanted to improve his business and develop it, and he found himself fettered and unable to do so because of the condition of the premises. He therefore asked his landlord to sanction certain improvements which would enable him to carry on his business in a better way. But that was not the case of the landlord. He was not in possession of the premises and, *ex hypothesi*, it was not he who was concerned in the alteration, although he might want to get the tenant out by asserting that an alteration was necessary. Therefore in the case of the landlord and tenant he did not think that the same considerations held good. The Amendment would inflict a great hardship on the tenant. He might be put under an obligation to make improvements which he had not the money to undertake, or to allow the landlord to execute the improvements and make a heavy addition to the rent. That would be unjust and unreasonable, and he hoped the Amendment would not be pressed.

SIR E. CARSON said that if the right hon. Gentleman said he could not accept the Amendment, of course they could not carry it. But he thought it was a very great pity that this Amendment, put down with the view of encouraging landlords to improve town dwellings, should have been met in such an unsympathetic spirit. What they were dealing with were dwellings which middlemen often took from landlords for speculative purposes, and were inhabited by a poor class of tenants. It was a class of house, on which it was exceedingly important that the landlord should receive some encouragement to lay out money on improvements. The objections put forward by the right hon. Gentleman were three or four in number. In the first place the right hon. Gentleman said it would be a great hardship upon the tenant, who might not want these improvements, to have to pay an increased rent. Considering the confidence shown by the right hon. Gentleman in the County Court, to whom this matter would be referred, he might at least have assumed that the Court was not likely to sanction any outlay which would put a tenant into an unfavourable position. In a Bill brought in ostensibly, at all events, with a view to improving these holdings, and to encourage the expenditure of money upon them, if it were fair in the one case that the tenant should call upon the landlord to make improvements, subject only to the interference of the Court, it was not unreasonable to ask that the landlord should have the correlative right, subject to the same conditions, of saying that improvements should be carried out. The next objection of the Chief Secretary was that the landlord could always manage to carry out the improvements because he could borrow the money, but that it was different with the tenant. Landlords were often described as millionaires, but if the right hon. Gentleman would make inquiries he would find that in the small towns throughout Ireland, and even in the large towns—he had no doubt it was exactly the same in England—there were many landlords who simply had to rely for their living upon the small rents they got from houses. The man the Government would smash by this Bill was the small retired pensioner or tradesman who had put the savings of a lifetime into a small house. If this class of landlord was able to borrow the money to carry out all the obligations that were to be put upon him by this Bill he could not see why the tenant could not borrow the money to carry out improvements. The right hon. Gentleman said, "Oh, but the landlord will not have to pay for these improvements until the end of the lease." What difference did that make? Where then was he going to get the money for these improvements?

MR. BRYCE: The letting value will be increased.

SIR E. CARSON said that might be, but the landlord would have to borrow the money. He would not be able to dole out the compensation from the improved letting value from year to year. No provision was made for that in the Bill. The moment the award was made execution would issue against the landlord, and the amount awarded would have no relation whatever to his means to pay. Very often the owner of a cottage had a mortgage on the property, and the interest he got out of it was very small. At all events it was an encouragement to a man who had money which he was prepared to lay out in improving his dwellings that he should be able to go to the tenant and say that such and such a thing ought to be done, and if the tenant did not agree the landlord should be able to take the opinion of the Court upon the matter. He supported the Amendment on the broad ground that if this Bill was to act at all fairly between landlord and tenant they should encourage, as far as they could, the man who was willing to spend his money on improving his houses.

SIR FREDERICK BANBURY said the Chief Secretary feared the increase of business premises to the detriment of tenants, but business premises were only a small portion of the property with which this Bill would deal, and any attempt unnecessarily to increase business premises would be dealt with by the Court. He had a letter from a gentleman who owned property in Dublin which formerly brought in a handsome income, but the depreciation of property in many parts of Dublin had rendered it of little value.

The middleman had sprung up and tenement houses had become a curse to Dublin, the living conditions in those dwellings being abominable. Such cases would be met by the Amendment, because under such circumstances the landlord, with the consent of the Court, could either force the middleman to keep the property in order or make the improvements himself. He had much pleasure in supporting the Amendment.

MR. A. J. BALFOUR was sure all who had read the Amendment would share the feelings of the Chief Secretary that it was one which at first sight, at all events, deserved consideration, but he did not think they would follow the Chief Secretary's example, and, without giving the Amendment further consideration, come to the conclusion that it was either iniquitous or inexpedient. He understood that the justification for the high-handed proceeding of breaking leases in the way proposed by this Bill was the public interest. It was stated that the view of the Government was that under the existing system in Ireland, tenants who were ready to make improvements were discouraged from doing so, because the improvements ultimately fell into the hands of the landlord, and the enterprising tenant did not receive adequate profit for what he had done. If the rather high-handed proceedings proposed in the Bill were to be justified on the ground of public policy, ought they not to consider how public policy was affected by the whole system? They assumed a rich landlord and an enterprising tenant, but all landlords were not rich, and all tenants were not enterprising. The converse case occurred in Ireland, in which the tenant allowed property to fall into decay. It was to the interest of the landlord that the property should be improved, and was it not still more to the interest of the public? The case of slum property presented one of the most difficult and pressing problems connected with urban property, and it was constantly not the landlord, but a tenant—a tenant who was not himself the occupier—who was at fault. There could not be a greater public interest than to induce the tenant to make the improvements in this class of property, required not merely in the interests of the landlord, but still more in the interests of the occupants and of the community. If the condition of Ireland were such that these questions must be dealt with in the interest of the tenant, then the policy must be carried out in the converse way, and where the interest of the landlord required it, and that interest was the interest of the community, they must mete out to the landlord precisely the same measure of justice as in the other case was meted out to the tenant. That point had not yet been answered by the Government, and he would venture to ask the Attorney-General for Ireland whether he could not give more favourable consideration to the Amendment.

*MR. CHERRY said the right hon. Gentleman had commenced his remarks by saying that he thought they could only justify this Bill on the ground of public policy, and that it required justification. Of course every Bill required justification, but if the right hon. Gentleman meant that it required anything in the nature of apology he could not say that he agreed with him. The Bill only carried out natural justice in requiring a landlord to pay for tenants' improvements. As regarded rights between landlord and tenant, of course everyone agreed that they ought to be mutual, and that whatever rights were given to one party should, as far as was possible, be given to the other. From that point of view the Amendment had a superficial appearance of fairness; but as a matter of fact, the circumstances in the landlord's case and the tenant's case were quite different. The tenant might urgently need improvements for his own comfort and convenience, but all the landlord wanted was an investment for his money, and all that this Amendment did was to give him an additional investment for his money over and above his other opportunities. It seemed to him there was only a mere superficial resemblance between the two cases, and that no argument could be based in favour of this proposition on the ground that a converse right was given in the Bill to the tenant. The Leader of the Opposition had not attempted to answer any of the objections made to the Amendment by his right hon. friend. There was an additional objection.

The Amendment was dangerous to the peace of the country. If the landlord wanted to spend a large sum of money upon a house and the tenant objected, the landlord would be able to drag him before the Court. After litigation the feelings of parties were not very often of a friendly nature. Moreover, if after the irritation of litigation a landlord were to send workmen into the house to make improvements against the will of the tenant there would be considerable danger of a breach of the peace. He confessed that when he read the Amendment on the Paper that morning, he thought it was a joke—a feeble attempt to show that the Bill was unreasonable. He never thought it would be seriously brought forward.

Question put.

The House divided:—Ayes, 55; Noes, 316. (Division List No. 429).

AYES.

Acland-Hood, Rt.Hn.SirAlexF
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt.Hn.SirH.
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir FrederickGeorge
Banner, John S. Harmood-
Beach, Hn. MichaelHughHicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Bridgeman, W. Clive
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cavendish, Rt.Hn.Victor C. W.
Cecil, Eveyln (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Craig, Capt. James (Down, E.)
Cross, Alexander
Dalrymple, Viscount
Douglas, Rt. Hon. A. Akers-
Duncan, Robert(LanarkGovan
Faber, George Denison (York)
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Gardner, Ernest (Berks, East)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Kenyon-Slaney, Rt. Hn. Col.W
Kimber, Sir Henry
King, Sir Henry Seymour(Hull)
Lockwood, Rt.Hn.Lt.-Col.A.R.
Lowe, Sir Francis William
MacIver, David (Liverpool)
Mason, James F. (Windsor)
Mildmay, Francis Bingham
O'Neill, Hon. Robert Torrens
Pease, HerbertPike(Darlington
Randles, Sir John Scruah
Rawlinson, John FrederickPeel
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Smith, F. E. (LiverpoolWalton
Stone, Sir Benjamin
Talbot, Lord L. (Chichester)
Thomson, W. Mitchell-(Lanark
Tuke, Sir John Batty
Valentia, Viscount
Walrond, Hon. Lionel

TELLERS FOR THE AYES—Viscount Castlereagh and Mr. Charles Craig.

NOES.

Abraham, William (Cork, N.E.
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, JosephA.(Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beale, W. P.
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn, SirJ.Williams(Devonp'rt
Benn, W.(T'w'rHamlets,S.Geo.
Bennett, E. N.
Bethell, SirJ.H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Boland, John
Bolton, T. D. (Derbyshire, N.E.
Boulton, A. C. F. (Ramsey)
Brace, William
Branch, James
Brigg, John
Brocklehurst, W. B.
Brunner, J.F.L.(Lancs., Leigh)
Brunner, Rt.Hn.SirJ.T.(Chesh.
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Burke, E. Haviland
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Byles, William Pollard
Carr-Gomm, H. W.
Cawley, Frederick
Chance, Sir Frederick William
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clancy, John Joseph
Cleland, J. W.
Clough, William
Clynes, J. R.
Coats, SirT.Glen(Renfrew, W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Collins, Stephen Lambeth
Collins,SirWm.J.(S.Pancras W.
Condon, Thomas Joseph
Corbett,C.H.(Sussex,EGrinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dewar, John A. (Inverness-sh.)
Dickinson,W.H.(St.Pancras, N.
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Essex, R. W.
Evans, Jamuel T.
Everett, R. Lacey

Faber, G. H. (Boston)
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Field, William
Fiennes, Hon. Eustace
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone, RtHn. HerbertJohn
Glendinning, Rt. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Halpin, J.
Hammond, John
Hardie, J.Keir(MerthyrTydvil)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Ivor (Mon.,S.)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope, W.Bateman(Somerset,N
Horniman, Emslie John
Hudson, Walter
Hyde, Clarendon
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William(Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kincaid-Smith, Captain
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lea, HughCecil(St.Pancras, E.)
Lehmann, R. C.
Lever, A. Levy(Essex,Harwich
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Macdonald, J.M.(Falkirk,B'ghs
Mackarness, Frederic C.
Maclean, Donald
MacNeill, John Gordon Swift
MacVeagh, Jeremiah(Down,S.)
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh Patrick A.
M'Kean, John
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
Maddison, Frederick
Manfield, Harry (Northants)
Marks, G.Croydon(Launceston)
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Molteno, Percy Alport
Mond, A.
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J.Lloyd(Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Murnaghan, George
Myer, Horatio
Nannetti, Joseph P.
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James(Wicklow,W.)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Donnell, T. (Kerry, W.)
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Priestley, W.E.B.(Bradford,E.)
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Bees, J. D.
Richards, Thos. (W. Monm'th)
Richards, T.F.(Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denibghs.)
Robertson, Rt. Hn. E. (Dundee
Robertson, J. M. (Tyneside)
Robinson, S.
Roe, Sir Thomas
Rowlands, J.
Rutherford, V. H. (Brentford
Samuel, Herbert L.(Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A.H.(Ashton under Lyne
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Snowden, P.
Soames, Arthur Wellesley
Stanger, H. Y.
Stanley, Hn.A.Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.
Thomas, DavidAlfred(Merthyr
Thompson, J.W.H.(Somerset,E
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Vivian, Henry
Wadsworth, J.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph (Barnsley)
Ward, John(Stoke upon Trent)
Ward, W.Dudley(Southampt'n
Wardle, George J.
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thoma Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Wills, Arthur Walters
Wilson, Henry J. (York, W. R.
Wilson, John (Durham, Mid)

Wilson, J. H. (Middlesborough)
Wilson, J. W. (Worcestersh. N.)
Wilson, P. W. (St. Pancras, N.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE NOES—Mr Whiteley and Mr. J. A. Pease.

Amendments proposed to the Bill—

"In page 3, line 6, after the word 'Acts' to insert the words '1878 to 1800.'"—(*Mr. Cherry*)

"In page 3, line 7, to leave out the word 'Acts' and insert the words '(Ireland) Acts, 1890 to 1900.'"—(*Mr. Cherry.*)

Amendments agreed to.

VISCOUNT CASTLEREAGH moved an Amendment to provide that "the landland of a holding, or any person authorised by him, may at all reasonable times enter on the holding, or any part of it, for the purpose of viewing the state of the holding." He said the words were taken verbatim from the Agricultural Holdings Act, 1900, which applied to England and Scotland. It was in the interests of the community that the landlord should be able to visit his property, in order to see that it was not suffering injurious effects from the manner in which it was being inhabited by the lower class of tenants. He hoped the learned Attorney-General would see his way to accept the Amendment and allow the landlord or person authorised by him to visit his property in which he must always have a deep interest. It was certainly advisable that he should be able to see that his tenant was doing nothing to injure his property, and accordingly he moved the Amendment.

MR. CHARLES CRAIG seconded the Amendment. It seemed to him that when additional responsibility was being put on the landlord under this Bill it was only fair that he should be informed as to what was being done with his property. The proposal in the Amendment was a very modest and moderate request. It was right that the landlord who might be called upon to pay considerable compensation for improvements made on his property should be properly informed as to what was going on in all parts of that property. He hoped the Minister in charge of the Bill would accept the Amendment.

Amendment proposed to the Bill—

"In page 3, line 13, at the end, to insert the words 'the landlord of a holding, or any person authorised by him, may at all reasonable times enter on the holding, or any part of it, for the purpose of viewing the state of the holding.'"—(*Viscount Castlereagh.*)

Question proposed, "That those words be there inserted in the Bill."

*MR. CHERRY thought this was a very reasonable amendment, though it seemed to him to be rather too wide. He admitted that there were certain circumstances in which the landlord would find it absolutely necessary to enter on the holding. The landlord could not very well tell whether an improvement was a proper one or not without seeing the place, and if he came to the conclusion that it was not a proper improvement to make and had to go to Court he would have to bring skilled witnesses to give evidence as to whether the improvement was or was not necessary. If the noble Lord would leave out the words "purpose of viewing the state of the holding" and insert the words "for the purposes of this section" he would have no difficulty in accepting the Amendment on behalf of the Government.

MR. CHARLES CRAIG said the right hon. Gentleman might accept the words "for the purposes of this Act."

MR. CHERRY: I do not think there is any objection to that.

VISCOUNT CASTLEREAGH asked leave to withdraw his Amendment.

Amendment, by leave, withdrawn.

VISCOUNT CASTLEREAGH in compliance, with the suggestion of the Attorney-General for Ireland, moved the Amendment in its altered form.

Amendment proposed to the Bill—

"In page 3, line 13, at end, to add the words 'The landlord of a holding, or any person authorised by him, may at all reasonable times enter on the holding, or any part of it, for the purposes of this Act.'"—(*Viscount Castlereagh.*)

Question, "That those words be there inserted in the Bill"—put, and agreed to.

Amendment proposed to the Bill—

"In page 3, line 24, at the end, to insert the words, 'or his agent.'"—(*Mr. Charles Craig.*)

Question, "That those words be there inserted in the Bill"—put, and agreed to.

*Mr. CLAVELL SALTER moved to leave out the word "the," and to insert the words "proposed improvements or." He said he understood that this Amendment would be accepted by the Attorney-General for Ireland. He anticipated that there would be considerable practical difficulty when this Act came into operation in the common case where there were a series of landlords. It was obvious that all the landlords would be interested in the matter of improvements, because each one was liable for compensation. In common justice each of those persons ought to have an opportunity of being heard before the Court which had jurisdiction, not merely in regard to the assessment of claims at the end of a tenancy, but with regard to the question whether an improvement was to be sanctioned or not. As the Bill now stood the only person who would be consulted would be the immediate landlord.

Amendment proposed to the Bill—

"In page 3, line 25, to leave out the word 'the,' and insert the words, 'proposed improvements or.'"—(*Mr. Clavell Salter.*)

Question proposed, "That the word 'the' stand part of the clause."

Sir E. CARSON said he had not yet heard whether the Bill applied to Crown property. The right hon. Gentleman must see how important that question was, because if each mesne landlord had to go back he wished to know what would be the position of a man who held from the Crown and who had sub-let the property. Would he have any remedy at all? He had an Amendment on the Paper in regard to Clause 12 for the purpose of raising this question, but it was quite possible that they might never come to that clause at all.

*Mr. CHERRY said he was afraid he could not answer the right hon. Gentleman. If a great deal of time was taken up discussing matters again and again, and if for that reason they could not discuss the Amendment of which the right hon. Gentleman had given notice, he was really very sorry, but it was not his fault. The Chief Secretary was absent now. He asked the right hon. Gentleman to repeat the question at another time.

Sir E. CARSON said he did not want to take the right hon. Gentleman at a disadvantage.

*Mr. CHERRY: I would answer if I could, but really I cannot.

Mr. CHARLES CRAIG said the right hon. Gentleman had candidly admitted that he was not in a position to answer the most pertinent question of his right hon. friend. The Attorney-General had blamed hon. Members on that side of the House for the fact that they were now only at Clause 4. He must protest against that.

*Mr. SPEAKER: That does not appear to be relevant.

Mr. CHARLES CRAIG said he was replying to the statement of the right hon. Gentleman. He wished to disclaim any responsibility for their only having reached the consideration of Clause 4.

*Mr. SPEAKER: The hon. Member will see that if he answers, somebody else will wish to answer him.

Amendment agreed to.

Mr. CARLILE moved to insert words at the end of the clause conferring on the superior or any mesne landlord the right to make the improvement as if he were the immediate landlord of the occupying tenant in priority to any landlord standing between him and the tenant. It seemed to him desirable that the man who was most interested in the permanent welfare of the property should have priority over any other landlord who might intervene between him and the actual tenant, and therefore this safeguard should be accepted.

MR. CHARLES CRAIG said that unless there was some technical difficulty to this Amendment he hoped the Attorney-General would have no objection to accept it. There were unfortunatly in Ireland many cases where there were several landlords between the superior landlord and the tenant, and it was quite possible that inconvenience and injustice might result if the head landlord did not know what had been done by the tenant and the immediate landlord.

Amendment proposed to the Bill—

"In page 3, line 32, at the end, to insert the words, 'The superior or any mesne landlord shall have the right to make the improvement as if he were the immediate landlord of the occupying tenant in priority to any landlord standing between him and the tenant.' "—(*Mr. Carlile.*)

Question proposed, "That those words be there inserted in the Bill."

***MR. CHERRY** said he was sorry that he could not accept the Amendment, because he recognised that in some cases it was desirable that the superior landlord should make the improvements. But these cases would be very few indeed. He had never heard of a head landlord making any improvements. He would point out to the hon. Member that the acceptance of the Amendment would introduce great confusion into the clause. The Amendment ought, if it was to be pressed, to have been introduced when Clause 3 was under discussion. He thought that the Government had gone a great way towards meeting the demands of hon. Gentlemen opposite, but they could not agree to any further concession.

***MR. JAMES CAMPBELL** said that the right hon. and learned Gentleman had given the very best reason why he should accept the Amendment when he stated that there might be certain very few cases in which the superior landlord would exercise his power of making the improvements. The right hon. Gentleman said that he had never heard of any mesne landlord who was anxious to make an improvement on a tenant's holding, but he quite forgot that this Bill legislated for a landlord who was going to make improvements, because Clause 3 provided that before any improvements were made the landlord should get notice of the intention of the tenant to make such improvements, so that the responsibility was thrown on the landlord to make the improvements if he chose. If the landlord was to have the opportunity of making the improvements why should he pay the piper? He could not for the life of him understand why the right hon. Gentleman declined to accept the Amendment. It would do no harm to the tenant in any conceivable way.

Question put.

The House divided:—Ayes, 44; Noes, 272. (Division List No. 430.)

AYES.

Acland-Hood, Rt. Hn. Sir Alex F.
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn. Sir H.
Balcarres, Lord
Banbury, Sir Frederick George
Banner, John S. Harmood-
Beckett, Hon. Gervase
Bowles, G. Stewart
Bull, Sir William James
Campbell, Rt. Hon. J. H. M.
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Craig, Capt. James (Down, E.)
Cross, Alexander
Dalrymple, Viscount
Douglas, Rt. Hon. A. Akers-
Faber, George Denison (York)
Fell, Arthur
Finch, Rt. Hon. George H.
Forster, Henry William
Hamilton, Marquess of
Hunt, Rowland
Kimber, Sir Henry
Lockwood, Rt. Hn. Lt.-Col. A. R.
Lowe, Sir Francis William
Mason, James F. (Windsor)
O'Neill, Hon. Robert Torrens
Pease, Herbert Pike (Darlington
Powell, Sir Francis Sharp
Randles, Sir John Scurrah
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Smith, F. E. (Liverpool, Walton)
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell-(Lanark)
Tuke, Sir John Batty
Turnour, Viscount
Valentia, Viscount
Walrond, Hon. Lionel

TELLERS FOR THE AYES—Mr. Carlile and Mr. Charles Craig.

NOES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)

Armstrong, W. C. Heaton
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A.(Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beaumont,Hn.W.C.B(Hexham
Beck, A. Cecil
Bell, Richard
Bellairs, Carlyon
Benn,SirJ.Williams(Devonport
Benn, W.(T'w'rHamlets,S.Geo.
Bennett, E. N.
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Bolton, T. D.(Derbyshire,N.E.)
Boulton, A. C. F. (Ramsey)
Brace, William
Branch, James
Brigg, John
Brocklehurst, W. B.
Brunner, J. F.L(Lancs.,Leigh)
Brunner, Rt.Hn.SirJ.T.(Chesh.
Bryce,Rt.Hn.James(Aberdeen)
Bryce, J.A.(Inverness Burghs.)
Burke, E. Haviland-
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clancy, John Joseph
Cleland, J. W.
Clough, William
Clynes, J. R.
Cogan, Denis J.
Collins, Stephen (Lambeth)
Collins, SirWm.J.(S.Pancras,W
Condon, Thomas Joseph
Corbett, C.H(Sussex,E.Grinst'd
Cowan, W. H.
Cox, Harold
Crean, Eugene
Dalziel, James Henry
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dickinson, W.H.(St.Pancras,N
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Duncan, C.(Barrow-in-Furness)
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Elibank, Master of
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Field, William
Fiennes, Hon. Eustace
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Furness, Sir Christopher
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Gulland, John W.
Hall, Frederick
Halpin, J.
Hammond, John
Hardie, J.Kier(MerthyrTydvil)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope, W.Bateman(Somerset,N.
Horniman, Emslie John
Hudson, Walter
Hyde, Clarendon
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Joyce, Michael
Kekewich, Sir George
Kennedy, Vincent Paul
Kincaid-Smith, Captain
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Ernest H. (Rochester)
Lea, Hugh Cecil (St.Pancras,E.
Lehmann, R. C.
Lever, A.Levy (Essex,Harwich)
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Macdonald,J.M.(FalkirkB'ghs.)
Maclean, Donald
MacNeill, John Gordon Swift
MacVeagh, Jeremiah(Down,S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Kenna, Reginald
M'Killop, W.
Maddison, Frederick
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Molteno, Percy Alport
Mond, A.
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morton, Alpheus Cleophas
Murnaghan, George
Myer, Horatio
Nannetti, Joseph P.
Napier, T. B.
Newnes, Sir George (Swansea)
Nicholson, Chas. N. (Donast'r)
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
O'Brien,Kendal(TipperaryMid.
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Donnell, T. (Kerry, W.)
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Power, Patrick Joseph
Price, C. E. (Edinburgh,Central
Price, Robert John(Norfolk,E.)
Priestley, W.E.B.(Bradford,E.)
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, Thos. (W. Monm'th)
Richards, T.F.(Wolverh'mpt'n)
Richardson, A.
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt. Hn. E. (Dundee
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rowlands, J.
Rutherford, V. H. (Brentford
Samuel, Herbert L.(Cleveland)
Scott, A.H.(Ashton under Lyne
Seddon, J.
Shackleton, David James
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Smeaton, Donald Mackenzie

Smyth, Thomas F. (Leitrim,
Snowden, P.
Soames, Arthur Wellesley
Stanger, H. Y.
Stanley, Hn. A. Lyulph(Chesh.
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Taylor, Theodore C. (Radcliffe)
Thomas, SirA.(Glamorgan, E.)
Thomas, DavidAlfred(Merthyr)
Thompson, J.W.H.(Somerset,E
Torrance, Sir A. M.
Toulmin, George
Vivian, Henry
Wadsworth, J.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward, W.Dudley(Southampton
Wardle, George J.
Wason, JohnCathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C,
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W. (Worcestersh.N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

On Clause 5 (Compensation for unreasonable disturbance):—

*MR. JAMES CAMPBELL said they had now arrived at the clause which might be described as the most critical and the most important in the entire Bill. It was a clause which, if it was carried, would revolutionise—that was certainly not too strong an expression—the system of town tenancies throughout Ireland. Bearing in mind the expression of opinion of the Chief Secretary that he would wish to see this Bill or portions of it applied to England—[Cries of "No"]—it was still more important. He understood that the right hon. Gentleman had often said that he wished to see this Bill applied to town tenancies in England.

MR. BRYCE: I said that there were parts of the Bill which would be very useful in England.

*MR. JAMES CAMPBELL did not know whether the right hon. Gentleman included Clause 5 as being amongst the useful parts. If he did not, why was there any difference or distinction between town tenancies in England and in Ireland. So far as he understood it up to the present no real or tangible distinction could be drawn. This Bill was applicable to large cities and towns as well as to small towns and villages, and it was not unfair to say that the life in those towns and villages in Ireland was on a parallel with the system which prevailed in this country. It was therefore important that English Members should understand what was the revolution which it was proposed by this Clause 5 to create in regard to town tenancies. He wished to call the attention of the House to the position in which this or a similar clause stood at the time when they were asked to give a Second Reading to the Bill. In the original Bill there was a Clause 5 in regard to compensation for unreasonable disturbance, and in regard to it a good deal of criticism of a hostile and unfavourable character fell from the lips of the right hon. and learned Gentleman the Attorney-General for Ireland. In the end, however, as the result of a rather severe heckling from hon. Members below the gangway, the attitude taken up by the Government was that if a proposal was framed on similar lines to those of the Land Tenure Bill for England the Attorney-General would be prepared to consider it. That was the position of the right hon. and learned Gentleman, but of course, he had no authority to bind his Government or the Chief Secretary, who was supreme in this matter. But the Chief Secretary wound up the debate, and in his speech said that the principle of the clause as it then stood in the Bill involved the fixing of fair rents in the case of town property, and that was a proposal which, speaking for himself and his Government, they thought unjust and unworkable, and which, therefore, they could not accept. The House consented to the Second Reading of the Bill, having received the assurance that any such clause as Clause 5 involving the application to town houses of the principle of fixing fair rents the Government considered to be unjust and unworkable, and that they would not, and could not, support any such proposal. When the other night he quoted that passage from his speech the right hon. Gentleman interrupted him and said that the clause they had substituted for Clause 5 did not necessarily involve the fixing of fair rents, and was not open to the objection that they had found in the Bill as it stood originally. He said to the right hon. Gentleman—

> "Then surely you have not read your Clause;"

and—

> "Consult your colleague the Attorney-General for Ireland, and if after consulting him and after reading your own Clause you are prepared to get up and make that statement to the House, I am prepared to give way to you in order that you may do so."

The right hon. Gentleman very wisely did not accept his challenge, and he could demonstrate that while the fixing of fair rents was not involved in the clause as it then stood, it was now made absolutely essential that in every case there should be a fixing of fair rents, and so, for the first time, they would have under English law in Ireland this principle started, and started under conditions which the right hon. Gentleman told them in a vague way he would like to see applied to England. They had now for the first time to see applied to town property the pernicious and vicious system of fixing fair rents. Let him call the attention of the House first of all to the clause in the Bill as it was introduced by the original promoters, and before it was taken up by His Majesty's Government—

> "When a tenant of any holding held by him under a tenancy created before or after the passing of this Act is disturbed in his holding by the Act of his landlord, he shall be entitled in addition to compensation for improvements, to such compensation for the loss including loss of goodwill which the Court shall find to be sustained by him by reason of his quitting his holding."

That clause as framed did not by any means involve the fixing or ascertainment of a fair rent, because it was applied in the case of every tenant quitting his holding. But what was the clause in the Bill as it now stood? He would ask the special attention of English Members to it because he could not conceive that if English Members, even on the opposite side, understood that such a provision was to be introduced into what the Prime Minister called a harmless and non-contentious Bill, they would assent to it. The clause which the Government had introduced into the Bill prescribed fixity of tenure for all the town tenants, and did that under a system of fixing fair rents which had hitherto been found unjust and vicious, and which the Chief Secretary for Ireland himself in the House had declared to be unworkable and unjust. The clause as it now stood read—

> "Where the landlord unreasonably and without good and sufficient cause terminates or refuses to grant the renewal of a tenancy or unreasonably and without due and sufficient cause requires more onerous conditions as the terms for such renewal,"

then the Court would have power to give compensation for unreasonable disturbance. He said that that involved the arriving at a conclusion as to what was a fair rent. That would be the chief controversy which would arise. It was sure to be about the rent. [Cries of "Rack rent."] It was immaterial whether it was called rack rent or fair rent. That was the point which would be in controversy between landlord and tenant, and the Court in determining whether the terms of renewal offered were fair would have to find what was a fair rent. The right hon. Gentleman had himself denounced the principle, but by the clause he had made it absolutely essential that the first and principal inquiry should be what was a fair rent of the holding. There could be no dispute about that. [Cries of "Oh!"] He knew that hon. Members were prepared to dispute anything he said, but in his opinion no reasonable or intelligent man could dispute that proposition, particularly any body who knew anything about the people or the history of Ireland. The one thing that concerned the people of Ireland was the rent they had to pay, and the controversy must inevitably be about rent. The Court would probably find that neither the landlord nor the tenant was right in his estimate of what the rent should be and would probably find that the truth lay between the two. That would mean the ascertaining of a fair rent, and it would apply to town property the very vicious and unjust system which, after thirty years experience in Ireland, this House put an end to by a very liberal and generous measure of land purchase carried through in 1903. Under the guise of an innocent and non-contentious Bill, which the Prime Minister expressed surprise was not got through in a single night, they were going to introduce for the first time in the legislation of this country the principle of fixing a fair rent and giving fixity of tenure to all town tenants. There were many objections of an economic character that could be urged against giving fixity of tenure to town tenants with which he did not propose to deal. But he reminded the House that with regard to these town properties great damage could be done to the interest of the improvement of the towns and the interests of the working classes by this clause. If it became law it would stereotype for all time the existing tenant and his successors in a particular plot of land. So long as he was willing to take a renewal of his tenancy on favourable terms from his landlord so long would he, under this Bill, be able to get it, and no public or municipal improvement could be carried out if the tenant determined to stay on and demand a renewal at the end of the lease. That would be the operation of the clause. The House had heard *ad nauseam* in this debate of the great anxiety of the right hon. Gentleman to observe the parallel and analogy of the former legislation of 1870 in the case of agricultural holdings. Whenever a proposition in this Bill was incapable of defence, the right hon. Gentleman and his colleague the Attorney-General always fell back upon that. "Oh!" they said "it might be bad, but it was in the Act of 1870 and it was good enough for them; what was good enough for agricultural land and agricultural tenants must also be good enough for the occupiers of town houses; there was no reason why an occupier of a plot of land in a town should not be put in the same position as the occupier of a farm in the country." That was the argument, but what had been done in this case? The clause was retrospective. It applied not only to tenancies dating from the passing of the Act, but to every existing tenancy in Ireland, although the tenancy might be a lease on lives, or for a term of years. That was not the case with the Act of 1870. The compensation for disturbance under the Act of 1870 applied to future lettings except in the case of tenancies from year to year. All existing leases were excluded, under the Act of 1870, from the benefit of compensation for disturbance. Why, when the right hon. Gentleman came for the first time to provide this revolutionary legislation, for town tenants had he departed from the example set by the Act of 1870? Why had he made this provision for compensation for disturbance apply to existing contracts of tenancy which were entered into without any reference to such a right? When the retrospective principle of the Bill was challenged the House was told, and with some force, that although it was an interference with existing contracts with regard to compensation for improvements, nevertheless the tenant had put up the improvements and the landlord if he had to pay for them could not complain, because he got the improvements. That was a fair argument from the moralist point of view, but there was no justification for making Clause 5 retrospective. Clause 5 conferred on existing tenants in Ireland a right in respect to which they had not paid a single shilling, and which was absolutely inconsistent with their contracts, because under their contracts they were bound to surrender their tenancy on the expiration of the lease. Yet under this Bill they were not only to be compensated for improvements, but under this particular section were at liberty to remain on for ever, and if the landlord declined to renew the lease at any time they were at liberty to claim anything they liked subject to the approval of the Court. This principle, which was now found for the first time as applicable to town tenants, could not be defended on any ground or suggestion that there was any property of the tenant in respect to which the compensation was given. On what ground could it be defended? The right hon. Gentleman on the Second Reading said the provision was unworkable and one the Government could not accept.

Although for many years past a Town Tenants Bill for Ireland had been introduced annually in this House, never while he had been a Member since 1898, had there been any attempt to introduce a section for the fixing of fair rents and for giving to the tenants compensation for disturbance. This was the first time that he had heard of or read in any Bill any suggestion that in giving the tenants compensation for improvements they should also be given fixity of tenure, which would inevitably lead to the establishment of courts in every town in Ireland for the fixing of fair rents. The right hon. Gentleman on Second Reading called attention to this point and expressed his amazement that the promoters of the Bill had not confined themselves to compensation for improvements, but had gone out of their way to introduce the difficult and controversial question of compensation for disturbance. No question more important for the consideration of the House had arisen for some time. The principle was to be found in other forms in the Land Tenure Bill and other measures but it now came before the House in this novel form for remedying an alleged grievance of the tenants. No doubt this section would be, if passed, of great benefit to the men now in possession because they would get a large slice of another man's property, but it would not be to the advantage of tenants in the future. Who was to pay the compensation? Not the State, but the landlord who, on the expiry of the lease, sought to take possession of his property and was prevented by his tenant who said—

> "If you do not re-let it to me at a reasonable rent I will take you into Court and mulct you in heavy damages."

The right hon. Gentleman's new clause was not only more revolutionary than the clause in the original Bill, in so far as it made inevitable in every case the fixing of a fair rent, but it went in one respect to more extreme length. The original clause was subject to the limitation that the Court could only award an amount proportionate to the rent; but in the right hon. Gentleman's clause the limit was swept quite away, and there was no limit whatever, and no section in the clause gave any assistance to the Court as to the basis on which they were to go. The compensation for disturbance under the Bill might run into thousands of pounds for banks, for insurance companies, or for railway companies, in respect of what? In respect of a tenure they had entered into, a tenure of a limited character which they knew must terminate at a specific date. He thought, therefore, he was justified in saying the Bill would revolutionise terms on which property was held.

MR. FIELD (Dublin, St. Patrick): Quite right.

*MR. JAMES CAMPBELL said he knew the hon. Member for St. Patrick's Division had made this subject his hobby for years. He had been very enthusiastic about it. He was a very eager man, and when he devoted himself to anything of the kind he took it up with the greatest possible energy and ability. He was not quarrelling with him. The insertion of this principle in the Bill was a triumph of which he could never have dreamt. The last thing he could have expected was that he would have been able to induce a responsible Government to adopt such a revolutionary and confiscatory principle. The clause put a direct premium on litigation, for every tenant would take his case into Court on the chance of getting something for disturbance. But the iniquity of the clause did not stop there. As the Bill stood, it applied to weekly tenants, who would be entitled to come in and claim compensation for disturbance. He admitted that in Grand Committee an attempt was made—he believed by the right hon. Gentleman opposite, with his assistance—to get a clause put in which would confine the operation of the Bill to tenancies that were not less than from year to year, and the right hon, and learned Gentleman had an Amendment to that effect later on in the Paper. He had a similar Amendment down, but whether he should be successful or not he could not say. The right hon. and learned Gentleman was probably more sanguine. He was dealing with the Bill as it left Grand Committee, and was taken up by the Government, containing this clause, which gave compensation for disturbance as a consequence of a precedent inquiry as to, the amount of a fair rent, even in the case of a man who only occupied under a weekly tenancy. Even if the Amendment were passed, and it was confined to persons who had a tenure from year to year, it would embrace the majority of town tenancies in Ireland; and under those circumstances the result of the passing of the Bill with this clause in it would be a perfect torrent of litigation in Ireland. Every tenant, whether rich or poor, would take his chance under the Bill. There were in Ireland hundreds and thousands of men and women owning houses who, in wealth, circumstances, and intelligence, were far inferior to their own tenants. In the cities and larger towns house property was owned not by capitalists, but by such persons as widows, clergymen, and others, who were not anxious for a high interest, but who wanted a safe security. [An Hon. Member: They have it.] But what would become of it if this Bill became law? He admitted in the future landlords might be able to protect themselves against the injustice of the Bill, but how could existing landlords do it? The evil of the Bill was that it applied to existing contracts. People who now owned house property would not be able to protect themselves against the confiscation proposed. He did not think the Government were really sincere in endeavouring to force through the House a Bill containing this vicious principle. He believed that in adopting it the Government were deliberately riding for a fall, and he could not think that a Bill with such a clause would ever be allowed to disgrace the Statute Book.

Amendment proposed to the Bill—

"In page 3 to leave out Clause 5."—(*Mr. James Campbell.*)

Question proposed, "That the words 'where the landlord' stand part of the Bill."

Mr. BRYCE thought it would be better if he answered at once the speech of the right hon. Gentleman. It was characteristic of impassioned forensic orators that they were unable to see anything but their own view. He would not retort upon the right hon. Gentleman the charge of insincerity which he had levelled at the Government. He had utterly misrepresented the case to the House. The clause was not a large revolutionary measure, and did not affect the ordinary tenancy. It was intended to deal with the case, not very common, in which the landlord capriciously and vexatiously turned out his tenant. It sometimes happened in Ireland that a landlord allowed political feeling to influence him, and was the only person in the town who had a house to let at the time, and so if he turned his tenant out he might destroy all the tenant had. Surely such capricious conduct needed to be restrained. The Bill proposed to prevent that, and nothing could be further from the fact than that it was changing generally the tenure of houses in Ireland. The right hon. Gentleman had accused him of having changed his ground with regard to this clause because he had said that it would lead to fixity of tenure and fair rents. The two clauses were wholly different. The clause in the original Bill related to disturbance generally, and the governing words of this clause "unreasonably and vexatiously" were not in the original clause.

*Mr. JAMES CAMPBELL rose to speak amidst Ministerial cries of "Order! order!"

Mr. BRYCE: The right hon. Gentleman has had three-quarters of an hour [Opposition cries of "Oh!"] and I cannot give way to him to make another speech.

*Mr. JAMES CAMPBELL: I rise to a point of order. The right hon. Gentleman said I misrepresented the effect of the clause in the Bill as it stood in its original form. He said that was a clause which provided for disturbance in the case of every tenant. In that I wish to remind him that he was entirely wrong.

Mr. JOHN O'CONNOR (Kildare, N.): And I rise to a point of order. [Opposition cries of "Order!"] Is not a Member of the Government within his rights in refusing to give way to an hon. Member or right hon. Gentleman who wishes to interrupt him ?

*MR. DEPUTY-SPEAKER : It is in the power of any Member to refuse to give way to another Member. In this case the right hon. Member for Dublin University does not seem to me to be speaking to a point of order, but to be making an explanation.

*MR. JAMES CAMPBELL : The right hon. Gentleman said I misrepresented—I was perfectly accurate. [MINISTERIAL cries of "Order!"]

MR BRYCE said he did not give way because the right hon. Gentleman opposite was in the habit of interrupting frequently and interposing another speech. Considering the length of time which the right hon. Gentleman took, and the hour of the evening, he thought he might be permitted to finish the few remarks he had to make without any further interruptions. The reason he objected to the original clause as introduced was that it contained a general provision with regard to every disturbance, whereas this Bill strictly limited compensation to vexatious and capricious cases. The cases to be dealt with were not normal, but abnormal, and rare cases which, speaking generally, only happened in these small towns. The right hon. Gentleman opposite had spoken as though this Bill was going to change the whole tenure of business places in Dublin and Belfast, but that was not the case, In those two cities it was perfectly easy for the evicted tenant to find other premises at which he could carry on his business, but this clause was intended to meet a totally different class of case, namely, the tenants in the small towns of Ireland where politics ran high, and where the landlord, sometimes intoxicated by a long period of despotic control misused his power and used it to oppress his tenants. It was against that class of case that this clause was specially directed, and nothing could be further from the real meaning of the clause than that which the right hon. Gentleman had put upon it. That practically was his answer to the speech of the right hon. Gentleman. In conclusion he wished to allude to one illustration given by the right hon. Gentleman just to show how fallacious his arguments were. He had taken the case of a landlord who let his house and wanted to come back to it at the end of the lease to live in it himself. That case was met by this Bill. That would not be an unreasonable disturbance, for a better reason could scarcely be imagined. He did not think it ought to be taken that they were laying down a precedent for England, although there might be similar cases in this country. He had known cases where persons after an election were turned out of their holdings for political reasons. If such cases occurred in England why should they not apply the same remedy ? In the present session they had affirmed a Land Tenure Bill which contained these very words; in fact, it was from that measure that the words under discussion were drawn. He did not admit for a moment that the question of applicability or non-applicability to England of a Bill of this kind ought to determine this question; it ought to be settled on its merits. Although the proposal was intended to meet what was an exceptional case, it had happened so frequently as to make it necessary to apply the remedy which they were now proposing, and he hoped the House would adopt the principle contained in this clause by a substantial majority.

*MR. GWYNN (Galway), in a maiden speech, said he knew it was not usual at this stage of a measure to argue upon general principles. This Bill, however, had been repeatedly opposed on general principles, and more particularly on two general principles. Two general statements had been made, both of which he submitted were false and misleading. He would like to inform the House the view they took of this question in Ireland, and how the Bill in their opinion was going to affect Ireland. The first general proposition which had been urged against the Bill was that it was only nominally Irish and was in reality establishing a precedent for England. For his own part, he would be very glad if that were so. He had listened since his arrival in that House to discussions on land tenure as a man listening to a fairy-tale. If principles of land tenure settled in Ireland thirty-six years ago were under discussion in England to-day, the explanation could only be that the need for their settlement had been greater in Ireland. They were now face to face with a second need of Ireland which was precisely opposite to the need of England. What England wanted was more country life; what Ireland required was a freer and fuller town life. Lord Clanricarde was no longer the despot of the countryside in the full measure of former days, but he was still the tyrant of the town and held Loughrea by the same inheritance of confiscation as he once held practically a great tract of Galway. He did not fairly represent the landlords of Ireland, but his case illustrated the power for mischief in their hands, and showed that they could no more be certain of action on the part of Irish town landlords than they were of action on the part of the Irish agricultural landlords of the past, in accordance with their own true interests. In the county of Galway they would see whole tracts of land lying derelict, and all because the landlord of the town was a man who had no kind of interest in the prosperity of his property. The fault he had to find with the Bill was that it did not enact half the things necessary if they were to have a strong and prosperous town life in Ireland. It was only the beginning of legislation on this subject. It might be finished here or somewhere else, but finished it would undoubtedly be, because the state of things could not be borne. They wanted peace in Ireland, not a cessation of hostilities. They resented the mere existence of the power of one landlord like Lord Clanricarde to disturb the whole peace of Ireland. They resented that kind of thing for the sake of that very institution of property which was so dear to those who sat on the Opposition side of the House. In the past they founded the institution of property in land upon a narrow and insecure basis and propped up by ancient confiscation. They had now lifted it off that insecure basis on to the surer foundation of occupying ownership. In the case of town tenants it was different, and there was not the same need, but the fact that this had been done in the one case would always be a temptation to men to move in the same direction, and that would be the effect of Lord Clanricarde's action at Loughrea. He had seen lately the two protagonists in the struggle which had given special character and emphasis to this Bill. He had seen Lord Clanricarde's agent who practically said to Mr. Ward, "You are a pattern to all the tenants; you have been prosperous and industrious and punctual with your rent, but you hold certain opinions and for that I feel bound to penalise you by the confiscation of the busness which you have created.'' Therefore that man was penalised for his political opinions. Mr. Martin Ward was a man who would always resist oppression, and if oppressed he would be a danger, not only to his oppressor, but to whatever power stood behind the oppressor. Those two types of men were to be found all over Ireland, and there was always danger of a collision between them. While they left the power that now existed in the hands of men like the agent to Lord Clanricarde, a stiff, obstinate, dominating man, a man who in a country like Ireland was a danger to the State, they would always have a kind of suppressed civil war in Ireland. He believed that the younger men who were growing up in the landlord class would welcome any measure which safeguarded the institution of property by curtailing the power that men like Lord Clanricarde had to abuse that institution.

SIR E. CARSON congratulated the hon. Gentleman on the speech he had delivered to the House. He welcomed to the counsels of the House a gentleman whose sincerity nobody in Ireland had ever questioned. The hon. Member had made a speech which seemed to him to be extremely candid, and he at all events had made no secret of what was to be the ultimate result of the passing of this clause, for he had said that he wished to assimilate the tenure of the town tenants to that of the land tenure in Ireland.

MR. GWYNN said he had expressed himself in precisely the opposite direction. What he said was that the fact that they had moved in the direction of occupying ownership would always be a temptation to town tenants to seek for the same thing, but he hoped by the enactment of this primary measure that no further disturbance of the institution of property would be needed or would be necessary.

Sir E. CARSON said he might be wrong, but he understood the hon. Gentleman to say that this was only the beginning of a course of legislation affecting town holdings in Ireland, and that the inevitable result must be that that legislation would follow the course which had been taken in the case of land tenure in Ireland. By this section they would create a system of dual ownership; while the Land Purchase Act was defended solely on the ground that they could not have a system of dual ownership in Ireland, and it was to abolish that dual ownership that the credit of the British taxpayer had been pledged to the extent of £120,000,000. That would be equally true of town holdings. If they raised up this system of dual ownership they would be obliged ultimately to pledge the credit of the State to enable the tenants to acquire town holdings. If that was to be done at all it should be done after due consideration and not with a light hand. He was not saying if that were right or wrong. He knew that some people thought that the occupier of a particular holding which he had in his possession should be made the owner of it, but that was a very large venture to embark upon in a short discussion. He submitted that before the House embarked upon this matter which had been fraught with such disputes as had led to the serious condition of Ireland for many years they ought to pause, before they allowed a section of this kind to appear in an Act of Parliament. He looked upon this question of improvements as a small matter as compared with the important principle which the Government were now asking the House to put into this clause, although the Government had repeatedly declared within the last few days that the main principle of the Bill was to secure the improvements to the tenants. On the Second Reading of the Bill he understood the right hon. the Attorney-General for Ireland to say that the principle which was now accepted could not be admitted, because if it were adopted they would have to set up a rent-fixing tribunal for houses in towns, the expense of which would be enormous. That was what the clause, as it now stood, did.

Mr. BRYCE: Not in the least.

Sir E. CARSON said that he had often remarked that he had not had the least difficulty himself with his landlord, but he had never hesitated to declare that there was a great grievance where a landlord imposed upon his tenant onerous conditions. In London the conditions imposed were scandalous. All this pretext of the right hon. Gentleman as to the difference between the Bill as it was brought in and the Bill as it now stood on the Report stage was a sham—an utter and a hollow sham. In some respects, several of the conditions in the Bill as originally introduced were far easier than now, but they were now told by the Government that they would use their majority, notwithstanding promises and pledges given on the Second Reading, to force this clause through. That was the condition in which the clause stood, and it would be impossible to find Parliamentary language to describe a deed of that kind. If the clause was passed many meanings would be put upon it owing to the ambiguity of the wording. For instance, he did not know what was meant by the landlord unreasonably and without sufficient cause refusing to grant a renewal. The right hon. Gentleman said it was not a question of rent, and he had determined to test that argument by putting down an Amendment to the effect that the demand for an increased rent should not bring the landlord within these words. Would the right hon. Gentleman accept that Amendment? Of course he would not, because rent was the thing which everybody cared about, and therefore they could not find out what was unreasonable and without sufficient cause until they had determined whether or not a fair rent was demanded. They had a somewhat similar discussion on a somewhat similar clause in the Land Tenure Bill, and what struck him was the different manner in which hon. Gentlemen opposite, or at all events a good many of them, received a Bill which dealt with the confiscation of Irish interests from that in which they had received a Bill involving the confiscation of English interests. Many of them noticed with considerable surprise and pleasure what a keen interest was taken by hon. Members opposite in order to try and mitigate the rigours of the Land Tenure Bill. Hon. Gentlemen got up over and over again, and talked as they themselves might talk from the Opposition Benches. Exactly the same principle which was involved in that Bill was involved in this. In that case it was a question of land, but in this it was a question of houses in towns and elsewhere. The truth of the matter was that hon. Gentlemen opposite took no interest so long as they were not affected, and they cared nothing for the principle, so long as it was applied to Irish estates, and only concerned themselves when it was sought to apply it to English property. He hoped that even at the eleventh hour the right hon. Gentleman would endeavour to avoid all the terrible consequences which he himself had predicted would follow from the introduction of a principle of this kind, and that even if he had no regard to the rights of landlords and of private property-owners he would have some regard for the taxpayers of this country.

*MR. REES (Montgomery Boroughs) said that in the course of the debate Lord Clanricarde's agent had been described as a man just and honest, but as the kind of man well suited to domineer over Asiatics. He did not think that language of that kind should be used in regard to a class of men who as a fact stood between landlords and tenants in the interests of the latter. When Lord Cornwallis unfortunately decided to convert the farmers of the revenues of Bengal into landlords after the British pattern, he created in fact what corresponded in many respects with what the hon. Member would describe as a garrison of landlords. Ever since the British Government and its agents had been protecting the tenants of Bengal from these State created landlords, and his fellow-countryman, Sir Antony Macdonnell, had been one of the most distinguished of these friends of the people of the soil. Such a description, obviously levelled at our public servants in the east came with a very bad grace from hon. Members sitting on the Irish Benches, and indeed would be unjust and inappropriate coming from any quarter of the House. The men described as well suited to domineer over Asiatics were the best friends of the Asiatics, whose voice was seldom heard, while that of those who misrepresented them, and represented a small high caste landlord section, was ever lifted up inside and outside Parliament.

MR. CHARLES CRAIG said that they had come to the most important part of the Bill, and whatever various Members might think about the merits or demerits of the question, he thought that every one would consider that it was a large one and that the proposal was one which might even be called revolutionary. That being so, the outstanding and most notable fact which had happened that night was that the Chief Secretary for Ireland, who had the conduct of this Bill in his hands, and whom they must now assume to be responsible for its introduction, in discussing this clause had disposed of the whole matter in fifteen minutes by the clock. Yet this question of compensation for disturbance, however it might be modified in the Bill, raised the principle of dual ownership against which the Opposition had fought so long. The way in which the right hon. Gentleman, backed up by the Attorney-General, who had been a Member of this House for less than a session, had approached the matter was playing with the subject. For the great issues contained in the Bill to be treated in this offhand and perfunctory manner by the right hon. Gentleman was nothing short of a Parliamentary scandal. No other member of the Government had said a word upon the Bill — a measure which, if it were possible, was more important than the Land Tenure Bill which had recently been discussed by the House with so much interest. As had been pointed out, this Bill would be in its consequences quite as important as the Land Tenure Bill, but because it dealt with Ireland instead of England, hon. Members were prepared to follow the right hon. Gentleman into the lobby in favour of this most nefarious clause. He appealed to hon. Members to read the clause for themselves and to contrast the few scant words of the Chief Secretary with the reasoned arguments of the right hon. Member for Dublin University. If they did that and put aside Party feeling they would admit that there was no necessity for the introduction of this clause for compensation for disturbance. It was based wholly on the case of the town of Loughrea. If there were twenty such towns it would be no justification for changing the whole law of Ireland in this matter. The right hon. Gentleman having in mind only these few cases had given no attention to what was the position of all the other towns in Ireland where there was no demand whatever for this clause, which would do harm both to the landlord and the tenants. The right hon. Gentleman had characterised the statement of his right hon. and learned friend the Member for Dublin University as the most deluding statement that he had ever heard. The best friend of the Chief Secretary could not say that his speech contained anything at all. The right hon. Gentleman had denied that this was a revolutionary measure, but hon. Members who had read the Bill and been present during the discussions of the Land Tenure Bill would know that no measures could contain more revolutionary principles. The only possible reasons for bringing forward this clause were first Loughrea and secondly the desire on the part of the Government to send this Bill to another place in such a form that it could not possibly be accepted. He did not think that if the Bill ever reached another place this most objectionable clause would be allowed to remain. The right hon. Gentleman had said that probably very few people would resort to the Act. Those words were identically the same as were used by Mr. Gladstone on the passing of the Land Act in 1881. That was another revolutionary measure that was only passed through the House by their being persuaded that very few tenants would resort to its provisions. But the right hon. Gentleman knew perfectly well that when once this clause passed into law it would be the beginning of an operation precisely similar to that which took place with regard to agricultural land, and they would be face to face with a long and bitter war such as that which had been fought in the agricultural districts. Anybody who knew anything about Ireland would admit that rather than bring the possibilities of such a war into existence everything should be done to prevent it. The House was told that this clause was destined to meet the case of the small towns, but the question was what effect it would have in the large towns. In every town in Ireland there would be applications by tenants to the Court to say whether their disturbance was reasonable or unreasonable, and in every case the landlord and tenant would have to resort to the Court in order to ascertain what was a fair rent. The only result of this legislation would be that the bitter fight which had raged so long in the country districts would be now brought into the towns, and the friendly relations which now existed between landlord and tenant would be destroyed. It was untrue to say there was a desire for the Bill. There was no desire for it so far as he had heard, and he would have heard of the desire had there been one. There was on the other hand the gravest opposition to it on the ground that there was no demand for it and that it was not required. He admitted that there were many towns in Ireland where the principle of compensation for improvements ought to be established, but he had never admitted that there ought to be compensation for disturbance. The right hon. Gentleman was not in this measure legislating for those towns, but was attempting to legislate for a few isolated cases, and in that attempt he had refused to consider what the effect of the legislation would be on the rest of Ireland. It was not statesmanship, in his opinion, to undertake any legislation until there was a well defined demand for it.

MR. DOLAN (Leitrim, N.) said he had followed with great interest the speech of the right hon. and learned Member for the Dublin University who had contended that this clause involved the fixing of fair rents, because he was prepared to admit that if the right hon. and learned Gentleman had succeeded in proving his case he would have achieved a great triumph by his legal ingenuity. But in his opinion the right hon. and learned Gentleman, whose logic was brilliant, did not succeed in proving that this in any way involved the fixing of fair rents. If the tenant went into court and the Judge fixed a low rent, the landlord could refuse to let at that rent, and there was nothing in the Bill to compel the landlord to continue to allow the tenant to retain the house at the rent. Therefore, on that ground alone it was impossible to fix a "fair rent." On the other hand, if the rent which the tenant had been paying was increased, if the tenant did not choose to abide by that decision he had a course open to him which he could adopt, because he had a claim for compensation for disturbance. There was nothing in the nature of the fixing of a "fair rent" in the clause. It was contended that the conditions which governed town houses were different from those which governed agricultural buildings. But there again, if they looked at the facts, they would find that in Ireland the number of houses had varied very little in the last fifty years. Surely it was not too much to say that if a landlord unreasonably evicted from a house a tenant who had lived there during his lifetime, and where perhaps his ancestors had lived, some compensation should be provided.

*MR. CHERRY said he only intended to intervene in the debate for a few minutes at this late hour, but he did not think it would be right to leave unanswered the two very powerful speeches made against this clause. He thought it was to be regretted that the senior Member for the University of Dublin had left his place. The right hon. Gentleman who seemed to think this clause of a very terrible nature walked into the House to make his speech and walked out immediately after he had made it. It did not look from that action that he thought it of such great consequence as he had suggested. The right hon. Gentleman had repeated again and again what had been said during the past three days in regard to the action of the Government on the Second Reading of the Bill—[Sir E. Carson here re-entered the House]—and their subsequent action in Grand Committee with reference to the compensation for disturbance clause. He took it that the theory which prevailed among right hon. and hon. Gentlemen opposite was that when the Second Reading of the Bill was taken the Government were opposed to the principle of compensation for disturbance in any shape whatsoever, and that subsequent to that debate events occurred in Galway which frightened the Government, and that, impelled by the daily terror in which they lived, they brought forward this clause which contradicted the statements made by himself and his right hon. friend the Chief Secretary on the Second Reading. That was substantially the case made against them, and he thought by the cheers of hon. Gentlemen opposite that they assented to that as being their view. He would tell the House in a few words what actually did take place. The Bill was moved by the hon. Member for South Armagh and either he or the hon. and learned Member for Waterford read out to the House a letter written by Lord Clanricarde's agent to Mr. Ward telling him that he was going to be evicted from his holding. Every Member who had spoken from the Irish Benches had referred to the question of the eviction of Mr. Ward as the main thing that justified the proposal of compensation for disturbance which they had in their Bill. He was obliged to speak on behalf of the Government and to state their position in regard to the matter. The clause in the Bill as it stood at that time was one giving the right of compensation for disturbance to every tenant of a non-agricultural holding in Ireland disturbed by any landlord no matter what the cause. He stated that the objection of the Government to the clause in that form was that they thought it unnecessary and inexpedient under the circumstances. He then read out the clause from the English Land Tenure Bill, which had only passed the Second Reading, providing for compensation for the tenant in an agricultural holding if turned out by the landlord unreasonably and without good and sufficient cause. He read that clause by way of contrast with the clause in the Bill. He stated that he entirely approved of the clause in the Land Tenure Bill. The hon. Member for North Dublin immediately rose in his place and asked "Will the right hon. Gentleman give us that clause?" and he replied that he had no objection to it himself. He thought it was a reasonable request, but it was a matter for the Government to consider. He was merely a law officer and no one occupying his humble position could on the spur of the moment commit the Government to the adoption of a new clause. He said as much as he could say when he stated that the Government would consider the matter and that he himself was in favour of taking that course. That was said in the hearing of right hon. and hon. Gentlemen opposite, and the matter was accentuated by the conversational nature of the intervention of the hon. Member for North Dublin. He brought the matter under the attention of Members of the Government, who had more control over matters of legislation than he could pretend to have before the meeting of the Grand Committee. With the assent of the Government he put down this clause in the Grand Committee and it was moved by him officially as representing the Government. As soon as the Committee came to Clause 5 he moved the omission of the original clause and brought up this clause which was a verbatim copy of the clause in the English Land Tenure Bill. There was no truth or validity in the charge of false pretences. That was a serious charge and there was no justification whatever for it. The clause now in the Bill was brought up by the Government as their clause, and he hoped that the House in a few minutes would adopt it. He was sure that the House would not be misled by the mere violence of the language of the two right hon. Gentlemen who had spoken. This clause was much more reasonable and necessary for the good government of Ireland than the clause giving compensation for improvements. It would prevent unreasonable landlords from stirring up strife in the country. The Irish tenants did not want compensation—they wanted to remain in their holdings, whether they were small farms or cottages, shops or houses. This clause would have a more beneficial effect than the clause for compensation; it would prevent landlords like Lord Clanricarde from evicting or disturbing their tenants without cause or reason. The Irish judges, the county court judges, and the judges of assize who would have the determination of questions arising under this clause, were not unduly prejudiced in favour of the tenants, at all events, as hon. Gentlemen opposite seemed to imagine, and they would not hold any eviction to be unreasonable unless that could be established by strong evidence. He sincerely hoped that this clause would have very small operation indeed, for he did not believe that there were many landlords in Ireland like Lord Clanricarde, or that it was their tendency to harass and annoy their tenants. They wanted to make the bad landlords behave as well as the good landlords did.

MR. J. F. MASON said the word "unreasonable" would give rise to a great deal of misunderstanding. Earlier in the evening the Chief Secretary stated that in his opinion it would be unreasonable for a man to recover compensation if the owner of the property wished to live in it himself. It appeared to be the general opinion of the House that that would be so. From what the Attorney-General had said it appeared that such a case would be a reasonable cause for disturbing the tenancy or refusing to renew it. He called attention to a case which was reported on 20th June, 1896, in which the Court of Appeal decided that it was unreasonable of a landlord to refuse permission to a tenant to sign a lease when the landlord wanted to occupy the house himself. In view of that decision it would not be safe to assume that it would be held to be reasonable for a man to recover the possession of his own property because he wished to reside on it himself.

COLONEL KENYON-SLANEY said he believed that those who listened to the Attorney-General were not so much interested in the history of the clause as in the clause as they found it now. The Government stated that they adopted the clause which they found in the Land Tenure Bill after the Second Reading. But what did the Government do in the case of the Land Tenure Bill? They repudiated the clause as they originally found it and accepted Amendments which materially altered its significance and bearing. Having done that he thought the Government were bound in all fairness and justice to alter the clause in the Bill they were now discussing in order to put it on all fours with that in the Land Tenure Bill. There was a possibility of the legislation which it was proposed to apply to Ireland being applied also to England. The logical outcome of the application of the Irish agricultural system to Irish town holdings, and then to English town holdings, would be its eventual extension to English agricultural holdings. They could not get away from that line of argument. They were in this position—they were going to introduce into English town holdings the system which prevailed in regard to Irish agricultural land. If he was right in his chain of reasoning they stood in this position, that if the Irish agricultural system were to be extended to Irish town holdings, then, on the principle that what was good for one country was equally good for another, the system would be extended to English town holdings, and eventually to English agricultural holdings. The state of things brought about in Ireland by the blunders of Liberal statesmen in 1870 had cost this country £120,000,000 of money to remedy. He believed that this clause would bring about an alienation between landlord and tenant, cause ill-blood, and increase litigation. It was because that was his earnest conviction that he ventured to make this straightforward protest against the clause, and he hoped that property owners on both sides of the House would stand by their principles without flinching.

MR. A. J. BALFOUR thought that the House would probably feel that, after the arrangement come to yesterday, they ought no longer to delay taking a decision upon this question. Of all the provisions of the Bill this was the one to which he thought the gravest exception could be taken; and of all the transactions connected with the passing of the measure, the introduction of this clause was the one which appeared to him the most discreditable to the Government. The Chief Secretary and the right hon. and learned Gentleman near him had both defended the action of the Government, but he did not think that any one who heard them would be at all inclined to mitigate their opinion of the policy pursued. The right hon. and learned Gentleman had spoken with indignation of a compact supposed to have been made in connection with some proceedings at Loughrea.

*MR. CHERRY said that he did not refer to any compact. What he said was that the account given of what occurred as to this clause was completely contradicted by what actually took place. He said that the Loughrea eviction was relied on as the basis for the Second Reading of the Bill and that the right hon. Gentleman the Member for Dublin University had said the Government were frightened by it.

MR. A. J. BALFOUR was unable to make out what the object of the interruption was. The right hon. and learned

Gentleman was indignant at the suggestion that the clause was connected with Loughrea.

*MR. CHERRY: No, no.

MR. A. J. BALFOUR: Then why did the right hon. and learned Gentleman refer to Loughrea at all? If he merely made an irrelevant excursus into contemporary Irish history—if the right hon. Gentleman said that he did not mean that, of course, he accepted his statement. The right hon. Gentleman would not deny that, whereas the large majority of Irish town landlords were working in harmony with Irish town tenants, this clause had been introduced to deal with a small minority of Irish landlords, of whom Lord Clanricarde was the type. They had actually introduced a clause which established the principle of fair rents on town property, not because the majority of town landlords had anything to reproach themselves with, but because here and there were gentlemen who required special legislation to deal with them. That was not the way to deal with great interests and great causes in this country. It would be much better, if such views were to be entertained, that a Bill should be brought in to deal with Lord Clanricarde by name. [AN IRISH NATIONALIST: Will you support such a Bill?] It was preposterous that the whole of the urban property in Ireland, and by implication and natural consequence, the whole system of urban property in England and Scotland, should be revolutionised, not because urban landlords in England were bad landlords, still less because Scottish urban landlords were bad landlords, but because here and there in Ireland they would find some landlord whose proceedings were to be complained of. Were all Irish tenants immaculate? Was it not possible by microscopic investigation to find some Irish urban tenant who had wasted landlord property, who had misused the advantage the law gave him, and who might with advantage to the community be controlled; and would that be regarded as a ground for special legislation in Ireland as regarded the tenant? These novel principles were not those on which legislation should be founded, even with regard to Ireland—that great experimental ground of legislation. What was the allegation made against the two right hon. Gentlemen in charge of the Bill, and what was the defence they had submitted to the judgment of the House? The allegation was that they permitted the House to accept the Second Reading on the understanding that they would not assent to the proposals of Clause 5. The Bill went up to Grand Committee and a new Clause 5 was introduced. The point in dispute was that, as the Government objected on principle to the old Clause 5 and induced the House to accept the Second Reading of the Bill on the understanding that the clause would be deleted, so this new clause was open to the same condemnation. In all essential principles the two clauses had been shown to be identical. Had either of the right hon. Gentlemen on the Government Bench shown where the distinction was?

MR. BRYCE: I dealt fully with that particular question at a time when the right hon. Gentleman was not in the House.

MR. A. J. BALFOUR said he had had the advantage of hearing the Attorney-

General, but not the Chief Secretary. Could any one who heard both speeches show what vital distinction there was between the two clauses? No one could make out that the first clause established fair rents, and that the second did not establish fair rents. In the first place the English Bill unamended did establish fair rents. But the English Bill had been so amended, so fundamentally altered, that its enemies and friends would both admit that it had no resemblance now to its original form.

Mr. DILLON: We do not intend the Irish Bill to be dealt with in that way.

Mr. A. J. BALFOUR said he agreed that the hon. Member was master of the situation. They were not likely to find a Minister of the Crown with the courage, the desire, or even the smallest inclination to resist the lightest wish of their taskmasters from Ireland. They lived under a benevolent despotism from which even the most liberty-loving of them all would not desire for a moment to be released. He believed what the hon. Member for East Mayo said was true, that the Bill was likely to pass in the shape in which it was now before the House. But let them not suppose that there was any ground for the assertion that there was a strong body of public opinion in favour of the measure. They could get a strong body of opinion in any country when they suggested to a large number of people that by legislation they could get something out of the pockets of a small number of people. That was a dangerous kind of public opinion to go by. It might suit in a Session, or even in a Parliament, but no country could thrive on legislation supported by public opinion so created. That was the complaint he made with regard to the right hon. Gentlemen. The Government simply resigned themselves to the pressure of the hon. Member for East Mayo and those who agreed with him and of a great number of people in Ireland who thought they would get solid cash by this Bill. They were ignoring and neglecting what was one of the most important duties of the Government of this country, which was to hold the scales even between all classes, rich and poor, landlords and tenants, alike. He quite recognised that the time had come when under the arrangement which they adopted under duress, the debate must draw to a close. It was eminently impossible that, under that compact, the remainder of the Bill could be properly discussed. The plan adopted was far better, both for the dignity of the House and for the freedom of discussion, than an all-night sitting, which was the only alternative presented to them. But they thought that, even under that arrangement, the time had been utterly inadequate to discuss a measure fraught with dangerous possibilities in the future, and embodying principles of the gravest moment. The whole history of the Bill was discreditable to the Government that had adopted it, and, holding that view in the strongest manner, and recognising that a Parliamentary compact was a sacred thing which should not be broken under any circumstances or under any provocation whatsoever, he ventured to recommend his friends to content themselves by a division, with a protest against the adoption of the clause, and, thereafter, to take no further part in the discussions at this stage of the Bill.

Question put.

The House divided :—Ayes, 308 ; Noes, 74. (Division List No. 431.)

AYES.

Abraham, William (Cork, N.E.)
Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A.Acland (Christchurch)
Allen, Charles P. (Stroud)
Ambrose, Robert
Armitage, R.
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Barry, E. (Cork, S.)
Beale, W. P.
Beaumont,Hn.W.C.B.(Hexh'm
Beck, A. Cecil
Bellairs, Carlyon
Benn, SirJ.Williams(Devonp'rt
Benn,W.(T'w'r Hamlets,S.Geo.
Bennett, E. N.
Bethell, SirJ.H.(Essex,Romf'rd
Billson, Alfred
Boland, John
Brace, William
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brunner, J.F.L.(Lancs., Leigh)
Brunner,Rt.Hn.SirJ.T.(Chesh.)
Bryce, Rt.Hn.James(Aberdeen
Bryce, J. A. (Inverness Burghs
Buchanan, Thomas Ryburn
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Carr-Gomm, H. W.
Chance, Frederick William
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clancy, John Joseph
Clarke, C. Goddard
Clough, William
Clynes, J. R.
Coats, Sir T.Glen(Renfrew, W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Collins, SirWm.J.(S.Pancras,W
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C.H(Sussex,E.Grinst'd
Cotton, Sir H. J. S.
Cowan, W. H.
Crean, Eugene
Crosfield, A. H.
Crossley, William J.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dickinson, W.H.(St.Pancras,N
Dillon, John
Dobson, Thomas W.
Dolan, Charles Joseph
Donelan, Captain A.
Duffy, William J.
Duncan, J. H. (York, Otley)
Dunn, A. Edward (Camborne)
Dunne,Major E.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Farrell, James Patrick
Fenwick, Charles
Ferens, T. R.
Ffrench, Peter
Field, William
Fiennes, Hon. Eustace
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gilhooly, James
Gill, A. H.
Ginnell, L.
Gladstone,Rt.Hn. HerbertJohn
Glendinning, R. G.
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gulland, John W.
Gurdon, Sir W. Brampton
Gwynn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Halpin, J.
Hammond, John
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Hart-Davies, T.
Harvey, A. G. C. (Rochdale)
Harwood, George
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Hooper, A. G.
Hope, John Deans (Fife, West)
Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jones, William (Carnarvonshire
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Lea, Hugh Cecil (St.Pancras,E.
Lehmann, R. C.
Lever, A.Levy(Essex, Harwich
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lyell, Charles Henry
Maclean, Donald
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Kenna, Reginald
M'Killop, W.
Maddison, Frederick
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G.Croydon (Launceston
Marnham, F. J.
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Mond, A.
Montagu, E. S.
Mooney, J. J.

Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murphy, John
Nannetti, Joseph P.
Napier, T. B.
Nicholson, Chas. N. (Doncast'r
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, James (Wicklow, W.
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Donnell, T. (Kerry, W.)
O'Grady, J.
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Pearce, Robert (Staffs. Leek)
Philipps, Col.Ivor(S'thampton)
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Robert John(Norfolk,E.
Priestley, W.E.B.(Bradford, E.
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Richards, Thos. (W. Monm'th)
Richards, T. F. (Wolverh'mptn
Rickett, J. Compton
Roberts, Charles H. (Lincoln)
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Roe, Sir Thomas
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Scott, A.H. (Ashton under Lyne
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Snowden, P.
Soames, Arthur Wellesley)
Stanger, H. Y.
Stanley, Hn. A.Lyulph (Chesh.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Stuart, James (Sunderland)
Sullivan, Donal
Summerbell, T.
Taylor, Austin (East Toxteth)
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward(Salisbury
Thomas, SirA.(Glamorgan, E.)
Thomas, David Alfred (Merthyr
Thompson,J.W.H.(Somerset,E.
Tomkinson, James
Toulmin, George
Verney, F. W.
Wadsworth, J.
Walker, H. De R. (Leicester)
Walsh, Stephen
Walters, John Tudor
Ward, John (Stoke upon Trent)
Ward, W. Dudley(South'mpton
Wardle, George J.
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Wiles, Thomas
Williams, J. (Glamorgan)
Wills, Arthur Walters
Wilson, Hn. C. H. W. (Hull, W.)
Wilson, Henry J. (York, W. R.)
Wilson, John (Durham, Mid)
Wilson, J. H. (Middlesbrough)
Wilson, J. W.(Worcestersh. N.)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Anson, Sir William Reynell
Anstruther-Gray, Major
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn.SirH.
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Beach, Hn. MichaelHugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Bridgeman, W. Clive
Bull, Sir William James
Butcher, Samuel Henry
Campbell, Rt. Hon. J. H. M.
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Castlereagh, Viscount
Cave, George
Cavendish, Rt. Hn. Victor C.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Craig, Chas. Curtis (Antrim, S.
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Cross, Alexander
Dalrymple, Viscount
Douglas, Rt. Hon. A. Akers-
Duncan, Robert(Lanark,Govan
Faber, George Denison (York)
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Hardy, Laurence(Kent,Ashford
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hervey,F.W.F.(Bury S.Edmd's
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Hunt, Rowland
Kenyon-Slaney, Rt.Hn.Col.W.
Keswick, William
Lambton, Hon. Frederick Wm.
Law, Andrew Bonar (Dulwich)
Lockwood, Rt.Hn.Lt.-Col.A.R.
Lonsdale, John Brownlee
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Mason, James F. (Windsor)
Mildmay, Francis Bingham
Morpeth, Viscount
O'Neill, Hon. Robert Torrens
Pease,Herbert Pike(Darlington
Powell, Sir Francis Sharp
Rawlinson, JohnFrederickPeel
Ridsdale, E. A.
Roberts, S. (Sheffield, Ecclesall
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Smith,F. E. (Liverpool,Walton
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell-(Lanark
Turnour, Viscount
Walrond, Hon. Lionel
Wilson, A. Stanley (York, E.R.
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Viscount Valentia.

Amendments proposed to the Bill—

"In page 4, line 26, after the word 'contract,' to insert the words 'other than a contract either to make or not to make an improvement.' "—(*Mr. Cherry.*)

"In page 3, line 26, to leave out the words 'by a tenant.' "—(*Mr. Cherry.*)

"In page 4, line 27, to leave out the word 'he' and insert the words 'a tenant.' "—(*Mr. Cherry.*)

"In page 4, line 30, after the word 'shall,' to insert the words 'having regard to all the circumstances of the case.' "—(*Mr. Clancy.*)

Amendments agreed to.

Amendment proposed to the Bill—

"In page 5, line 11, to leave out subsection (3), and insert the words, 'An appeal shall lie to the Court of Appeal from the county court under this Act. Such appeal shall be brought within the time, in the manner, and in accordance with the conditions prescribed by Rules of the Supreme Court. Save as aforesaid every decision of the county court under this Act shall be final.' "—(*Mr. Clancy.*)

MR. CHERRY said this was an alternative which had been suggested by himself and the point had been discussed before the Grand Committee. The Government had no objection to the Amendment provided that it was substituted for subsections (3) and (4).

Amendment agreed to.

Subsections (3) and (4) omitted.

Amendments proposed to the Bill

"In page 5, line 22, to leave out the word 'and.' "

"In page 5, line 22, after the word 'twenty-three,' to insert the words 'twenty-six and twenty-seven.' "

"In page 5, line 26, at the end, to insert the words 'and the duty imposed upon the Court by the said section twenty-seven shall, on the application of a limited owner, be performed as well where compensation is awarded by the Court as where the amount of compensation is agreed upon.' "—(*Mr. Cherry.*)

"In page 5, line 18, after the word 'shops' to insert the words 'clubs for social or athletic purposes.' "—(*Mr. Glendinning.*)

"In page 6, line 2, to leave out the words 'lease or life lease or.' "—(*Mr. Clancy.*)

"In page 6, line 2, after the second 'or,' to insert the word 'other.' "—(*Mr. Clancy.*)

Amendments agreed to.

Amendment proposed to the Bill—

"In page 6, line 3, after the word 'tenancy' to insert the words 'for a year or for any longer period.' "—(*Mr. Cherry.*)

MR. JOHN REDMOND said his Party felt bound by the understanding arrived at yesterday, and under the circumstances it would not be advisable to do anything more than enter his protest against the Amendment.

Amendment agreed to.

Amendments proposed to the Bill—

"In page 6, line 5, to leave out from the word 'law' to end of subsection."

"In page 6, line 16, at the end, to add, 'the expression "predecessor in title" shall have the same meaning as in the Landlord and Tenant (Ireland) Act, 1870, as amended by section seven of the Land Law (Ireland) Act, 1881.' "—(*Mr. Clancy.*)

"In page 4, lines 23 and 24, to leave out the words 'passing thereof,' and insert 'first day of January nineteen hundred and seven.' "—(*Mr. Cherry*).

Amendments agreed to.

Bill to be read the third time to-morrow.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at twenty minutes before Twelve o'clock.

HOUSE OF LORDS.

Thursday, 22nd November, 1906.

PRIVATE BILL BUSINESS.

Blairgowrie, Rattray, and District Gas and Water Order Confirmation Bill. To be printed. (No. 215.)

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL.

Petitions against; of inhabitants of parishes of Llanbedrgoch and Pentraeth. Read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

COLONIES ANNUAL.

No. 510. St. Vincent (Report for 1905–1906).

IRISH LAND COMMISSION (PROCEEDINGS).

Return for the month of October 1906. Presented (by Command) and ordered to lie on the Table.

POLLING DISTRICTS (COUNTY OF DURHAM).

Order made by the council of the county of Durham altering certain polling districts in the Chester-le-Street Parliamentary Division. Laid before the House (pursuant to Act), and ordered to lie on the Table.

EDUCATION (ENGLAND AND WALES) BILL.

House again in Committee (according to order).

[The Earl of ONSLOW in the chair.]

Debate resumed on Motion, proposed by Earl Cawdor, to leave out Clause 26:—

THE MARQUESS OF LONDONDERRY said that, after the exhaustive, lucid, and eloquent speech of his noble friend Earl Cawdor in moving the rejection of the clause, it was hardly necessary to detain their Lordships at any length in supporting the Amendment. He felt that to the mind of every impartial person the proposal contained in this clause must appear as one of the most extraordinary ever submitted to their Lordships' House.

At the close of the debate the previous evening, the noble Earl, Lord Dunraven made a speech in which he seemed to consider that a scheme of devolution for Wales would be an improvement in the system of government in that country. He did not wonder at the action of the noble Earl, for he had endeavoured to introduce a devolution scheme in Ireland which had been denounced by every true Unionist. The recent by-election in North Armagh had proved how cordially devolutionists were hated there. His noble friend's devolution scheme had been disapproved, if not denounced, even by the Nationalist Party. Now that the project of devolution had failed in Ireland, the noble Earl was attempting to turn his hand to the subject of devolution in Wales; but in his judgment the proposal to establish a Welsh Council for Education was absolutely impracticable. The scheme was an impossible one, because if they created a Council for Education in Wales, he asked why they should not create a council in Wales for the purposes of local government or of agriculture.

He had frequently racked his brains, but confessed that it was not easy to understand why the question should be raised of different treatment in regard to education for Wales as compared with other parts of the United Kingdom. In examining this subject he had come to the conclusion that the only reason why this scheme had been brought forward was in order to reward those dissentients who had been led by Mr. Lloyd-George in their opposition to the legal administration of the Act of 1902. He was at a loss to understand what other ground there could be for the introduction of the clause. If such a clause was to be the reward of illegality in making the law of the land unworkable, the right hon. Gentleman and his colleagues in the Cabinet were raising a question which must have serious, and indeed disastrous, results. The persons who had promoted the scheme of a Welsh

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

education council were those who had fostered the Welsh revolt against the observance of the law in Wales during the past few years.

Personally, he had no belief in the plea that this clause had been inserted in the Bill as a reward for the educational efficiency of Wales. Lord Rendel, who spoke with great authority on Welsh matters, had alluded the previous evening to the fact that the Welsh people were very jealous with regard to the promotion of education, and he went on to say—

> "Next to the passion for religion was the passion for education in Wales. That passion knew no difference of Party or sect. The aim it sought was the unification of education, the establishment of what was called the ladder of education, leading from the primary school to the University, so that the intelligence of the people, the most valuable asset of Wales, might be afforded opportunities for cultivation and development."

He did not think that anyone would contradict the noble Lord when he made that statement. But had the people of Wales always been so anxious for education? He found, on looking back to the Report of the Committee appointed by Mr. Gladstone in 1880, that a witness there said—

> "The inhabitants have yet to learn that it is worth while to pay a good price for a superior education."

That witness certainly did not think that the love for education among the Welsh people was so strong as Lord Rendel had attempted to prove. He also found, from the evidence given before that Committee, that only 4,000 boys were receiving higher education in Wales in 1880, whereas there should have been, in the estimate of the Committee, 15,700. That certainly did not prove the contention of his noble friend Lord Rendel.

The noble Lord went on to say that Wales had, not unreasonably, been called a nation of Nonconformists. That might be so. But would the noble Lord tell him that those Nonconformists owed their education in the past entirely to Nonconformity? If he did he would refer him to the great efforts that were made by the Church of England in Wales in years gone by in the promotion of education by carrying on their own voluntary schools. In 1846 out of 685 schools in Wales, 581 were Church of England schools, and the Commissioners of 1864–66 found that there were 27 endowed higher schools in Wales owing their existence to Churchmen or Churchwomen. Aberystwith University College received in voluntary contributions between 1863 and 1880 more than £50,000. Of this sum Churchmen contributed 33 per cent. though they were said to represent only 12½ per cent. of the Welsh people.

He contended that the agitation on this subject was so much directed not to educational ends as that it formed a part of the Radical hostility in Wales to the State Church. Welsh Radicals imagined that if they could only destroy the voluntary schools in Wales a long step would be achieved towards the demolition of the Church establishment, and he certainly doubted whether this hostility would be lessened even if this Education Council were formed. There seemed to be no signs of it. The Swansea Local Education Association was still carrying on its campaign against the voluntary schools in that town, and incidentally against the Board of Education, who had taken the side of the voluntary schools. On 13th October *The Times* reported that at a meeting of the Welsh Liberal Convention at Cardiff a resolution was unanimously passed—

> "That this convention desires to express its firm adherence with the stand made by the Swansea Education Authority for the control of public expenditure upon sectarian schools within the borough, and its determination to support the authority against the threatened interference of the Board of Education officials with the statutory power vested in the authority in the plain words of the Act of Parliament."

The amazing point was that Mr. Lloyd-George was present at this meeting and offered no objection to this vote of censure on his colleague, Mr. Birrell. He regarded this as a most extraordinary performance on the part of one Cabinet Minister towards another, and he thought the noble Earl, the Lord President, might be invited to comment upon this new development of "Cabinet responsibility." There were occasions when a politician ascended the political ladder too quickly, and found himself a Cabinet Minister without having served in a subordinate position, and therefore without having had impressed upon him the fact that as a Cabinet Minister he spoke with considerably more authority than would otherwise be the case.

He had only to say in conclusion that he looked with great mistrust on elementary education being handed over to a council in Wales. He had had experience of local education authorities in Wales during the time he was responsible for the administration of the Act of 1902, and he certainly then saw action taking place which he was sure noble Lords opposite would repudiate if they considered the matter. On 1st July and 1st October, 1905, 205 teachers of voluntary schools in Montgomeryshire were without salary; and they would not have got it at all, nor would the voluntary schools have been provided with coal or light, but for the operation of the Default Act.

THE LORD PRESIDENT OF THE COUNCIL (The Earl of CREWE): My Lords, I think there was something of a general hope in the House yesterday that the Committee stage of the Bill might have concluded last night, but it very soon became evident, in the course of the debate, that that not undesirable consummation was not likely to be brought about; and when we consider the importance of the subject which is now under discussion, I feel sure that the Committee cannot be surprised that such was the case. Last night we had some very interesting speeches. The debate was opened by the noble Earl opposite, Lord Cawdor, in one of his very trenchant speeches, and he apologised, quite unnecessarily, as I think, for the length at which he developed the subject. Then we had a speech to which I am sure the whole House listened with interest—a maiden speech from my noble friend behind me, Lord Rendel, who speaks with great authority upon this question.

Lord Cawdor stated last night that there was no kind of precedent for this proposal, and he devoted an elaborate argument to explaining that in his opinion the existence of the Welsh Intermediate Board under the Act of 1889 ought not, and could not, offer a distinct precedent for the introduction of this clause. I do not think it has ever been maintained that that Act offers an exact precedent for this proposition; but when the noble Marquess who has just sat down says that he sees no reason why the system of Welsh Education should in any way differ from that which exists in this country, I am obliged to refer him to that Act, which does involve a very marked difference between the two systems, and which, as my noble friend Lord Rendel, who himself took so much part in promoting it, reminded us last night, was carried through, not merely by the goodwill, but by the active assistance of a Conservative Minister, Sir Willliam Hart Dyke. I say that the parallel is not exact, and we have never pretended that it is, but what happened then was that the system of technical and secondary education was placed for the first time on a firm and uniform basis, and it was natural, having regard to the desires of the Welsh people, that that part of education should be managed by a central board. What we propose to do now, now that we hope by our Bill that elementary education is also to be established as far as possible on a uniform basis, is to devise a manner by which, also in accordance with the desires of the Welsh people, a somewhat similar centralisation of Welsh elementary education should take place.

Now, my Lords, is this measure demanded or not? The noble Earl denied that Wales was unanimous in the matter. That is obvious. The noble Earl's speech shows, at any rate, that there is one Welshman who strongly objects to it, and I do not know that we have ever used the word "unanimity" in respect to this matter. In the debate on the Second Reading the right rev. Prelate the Bishop of St. Asaph said—

> "I should be tampering with accuracy if I led the House to believe that Churchmen in Wales were unanimously in favour of such a council."

That is not putting it very high, and I cordially agree with the right rev. Prelate. I have no doubt there are a very distinct number of Churchmen who have a dislike, and even a dread, of this proposal, but what we do say is that there is a very general demand, and a demand not by any means confined to one Church or to one Party throughout Wales; and, after all, my Lords, it must be remembered that, so far as the representatives of the Welsh people in Parliament are concerned, there is, so far as I know, no difference of opinion as to the desirability of forming a council of this kind. And I am confirmed in my impression of a general demand when I remember that both the right rev. Prelates the Bishop of St. Asaph and the Bishop of St. David's, who spoke last night, although each of them severely criticised this particular proposal, did not in express terms state that they were averse to the idea of a Welsh Council of Education. The right rev. Prelate the Bishop of St. David's seemed to prefer that if such a council were to be formed it should take the shape of a re-constituted central board with additional powers. That is a perfectly fair criticism to make, but it is quite a different character of criticism from that which fell from the noble Earl, Lord Cawdor.

The noble Earl had two main reasons, both of which he developed with great force, for objecting to this proposition. The first was the history of this clause—a somewhat chequered history, I freely admit—in another place. When the proposal first appeared in Parliament it no doubt did provide for a very complete system of educational autonomy in Wales—not, I think, Home Rule in any possible sense, but very complete educational autonomy; and I think we all felt that for so bold a proposition as that a pretty general measure of assent would be demanded. That assent was not forthcoming. The proposals were severely criticised, but they were not criticised in another place in the tone adopted by the noble Earl. Sir William Anson, who spoke, of course, with all the weight of his experience, and a very brilliant Conservative Member of Parliament, Mr. F. E. Smith, devoted themselves to the criticism of the clause. But they also devoted themselves to what they considered its Amendment, and they laid down certain propositions which, in their view, were indispensible if a council of this kind was to be brought into being.

The first proposal which they made was one for minority representation. In this country, as a rule, we are not very fond of minority representation. My noble friend Lord Courtney will bear out that statement. Various propositions have often been made, as we know, for minority representation, which, however fair we may admit them to be in theory, are considered difficult to put into operation. However, in this case the general rule was departed from and minority representation was cheerfully provided for. Then, my Lords, in view of a certain fervour which exists in Wales on these religious difficulties, it was agreed that all religious questions should be referred to the Board of Education. Further, in order to ensure, again at the request of these gentlemen, proper control over finance, the accounts of this council were to be submitted to the Committee of Public Accounts and to the Controller and Auditor-General; and, lastly, full willingness was expressed to meet the point of Parliamentary control and control over the estimates to be submitted to Parliament. I confess I do not see what ground of complaint the noble Earl has in the fact that those Amendments, suggested by his own Party, were readily accepted in another place.

EARL CAWDOR: I made no complaint of it.

THE EARL OF CREWE: Begging the noble Earl's pardon, I think he did complain, because he seemed to regard that as so hopelessly unbusinesslike a way of conducting a Bill through Parliament that that fact alone afforded a ground for asking your Lordships to reject it. We do not think that any discredit whatever attaches to the acceptance of suggestions of that kind under the circumstances under which this clause was introduced. Noble Lords opposite may pretend that it is a proper method of carrying legislation to introduce a measure in another place, to force it through by a majority, and then, as in the case of the Licensing Bill, to compel its passage through this House without even verbal Amendment. The last feat is obviously impossible for us. We could not do it if we would, and I say quite definitely we would not if we could. After all, the noble Lord's criticism of the conduct of the Bill in another place, and of which I confess I admired the dialectical ingenuity, did not appear to be absolutely relevant. What your Lordships have to consider is what are the merits of this particular proposal as it appears before your Lordships, and what adventures it went through elsewhere are really not relevant in that connection.

The noble Earl dwelt on the fact that the control under this clause was vested in the Treasury, and he offered some strong criticisms upon that point. It certainly seemed to us, in view of the fact that the Intermediate Board is under the control of the Treasury, that it might be and would be advantageous to adopt a similar plan in relation to this proposed central council. But it is not a crucial matter, and I can only say that if, as a condition of acceptance of this clause the noble Earl and his friends ask us to substitute the Board of Education for the Treasury in that matter, we shall be perfectly prepared to consider that proposal and to make the necessary alterations in the clause. From what followed in the noble Earl's speech, I fear that even such a concession as that, which would be of a very considerable character I should think from the noble Earl's point of view, would not satisfy him, because his objection to the council, unlike that of other critics of the Bill and of the right rev. Prelates, appears to be largely founded on the fact that he regards it as a dangerous measure of Home Rule, and the noble Marquess who has just sat down appears to share that view.

When I was listening last night to the noble Earl, I confess he took me back thirteen or fourteen years, to the time when I lived in Ireland. I recognised that tone so well, and I could not help thinking that the noble Marquess, who was then sitting next to the noble Earl, must have felt what an Orangeman was lost to the North of Ireland by the fact that the noble Earl's interests are divided between Scotland and Wales. I do not wish to be otherwise than polite, but I confess that it does appear to me that to speak of the dread of Home Rule in this connection is really Unionism run mad. The noble Earl said that he disliked Home Rule step by step as much as in any other form. Yes, my Lords; but what is step by step? There were plenty of people in Ireland who thought, and I daresay some still think, that the concession of local government to Ireland by noble Lords opposite was a dangerous step in the direction of Home Rule. What is a step in the direction of Home Rule must always be a matter of opinion. It might very easily happen that, in the opinions of people who favoured Home Rule, a concession in the direction of devolution was a positive bar and obstacle to their ultimately obtaining their wishes. These matters will always remain matters of opinion, and I really do not think the noble Earl, even if he regards this as a dangerous step of devolution, is justified in saying that it is a step towards Home Rule.

Then the noble Earl dealt with what has been nicknamed the Welsh Revolt, and I was sorry that he went out of his way to make such a very formal attack upon my right hon. friend the President of the Board of Trade. I think it is rather contrary to the custom of this House to make elaborate attacks of that kind on Ministers who sit in another place. My right hon. friend is well able to take care of himself, but, of course, he is unable to answer the noble Earl here. I would only say just this much on that point, that everybody knows the part my right hon. friend has played in the public life of Wales, both in relation to education and other matters, and I think it would be too much to expect that he, having obtained high office under the Crown, should at once adopt a chilly attitude of detachment in these matters and altogether break loose from the former career in which he had become so distinguished. I have no wish to discuss the incidents of that unhappy war, for so I must call it, in Wales. I say, frankly, that I deeply regret a great many of those incidents, but although I might not in any particular case be able to withhold blame from those who have conducted these warlike operations in Wales, yet at the same time I cannot forget that if noble Lords opposite and their friends in 1902 had not so completely ignored the sentiments of those of whom the population of Wales is so largely composed, these difficulties never could have arisen. Noble Lords, as it seemed to us, thought at that time of very little but the triumph at the moment of their own views, and it is impossible, from our point of view, to absolve them from a large part of the blame of these untoward events which have occurred in the Principality. The noble Marquess said he did not see why the creation of an Education Council for Wales should cause this hostility to cease. No, my Lords; but we do believe that if what the people in Wales consider to be the serious injustice inflicted on them by the Act of 1902 were remedied by the passing of our Education Bill, those fires of controversy would die down. It is not the creation of the council, but the passing of the Bill as a whole to which we look for that happy result.

I cannot help saying, in conclusion, that it seems to me that your Lordships undertake a very grave responsibility in placing yourselves in the hands of the minority in Wales. The noble Earl who has moved the rejection of this clause is a very distinguished Member of this House. We all admit his great business capacity, and we admire the way in which he states his views, but we are not prepared to appoint him a dictator for Wales or a general arbiter of what is to take place with regard to the government of that country. So far as criticism of this clause is concerned in any of its details, we entirely admit your Lordships' right not merely to criticise, but to exercise in the lobby your power of carrying that criticism into formal effect; but we do think, and I hold this view very strongly, that you will be stretching your functions very far indeed by the total rejection of a clause of this kind.

*VISCOUNT ST. ALDWYN said the noble Earl, the Lord President of the Council, had spoken of the responsibility which, in his judgment, rested on their Lordships in dealing with this clause. There were several points to be remembered in connection with the matter. The first was the fact, which no one could deny, that the minority in Wales, which was a strong minority, and a minority whose interests he was sure noble Lords opposite would admit ought fairly to be considered, had been left by the fortunes of the electoral system without a single representative in another place. Secondly, it must be admitted that no settlement of this question, as the noble Earl himself had stated, could possibly be arrived at which would be lasting, unless it were a settlement arrived at in accordance with the general feeling of those who lived in Wales. He would also point out that the proposal before their Lordships was never really discussed in the House of Commons at all. The last addendum to the proposal, that which imposed on the Treasury the financial responsibility for submiting to Parliament the Estimates for Welsh education and for controlling the council, was carried without a single word of debate, and was now for the first time under discussion in either House of Parliament.

The Lord President of the Council had objected to the argument of the noble Earl, Lord Cawdor, in opposing the clause on the ground that it was a step towards Home Rule. He found himself to some extent in accord with the Lord President. Parliament had on several occasions legislated separately for Wales, and it must be admitted that there was a kind of distinctive character about the population of Wales which justified that legislation. But he was convinced that the spirit in which this proposal of a Welsh Council was originally framed and the desire of those who framed it were the spirit and the desire of Home Rule. It also appeared to him to be absolutely unconstitutional to make the proposal contained in this clause as first proposed to the House of Commons, viz., that they should abolish the direct control of Parliament over the Estimates of the country so far as the cost of elementary education in Wales was concerned. If that was not the spirit of Home Rule he did not know what the spirit of Home Rule was.

But there was another way in which the spirit of Home Rule showed itself in the orginal proposal. One grave objection to the proposal to establish a separate Parliament for Ireland free from the control of the Parliament of the United Kingdom was that no care was taken to safeguard the rights of the minority. How were the rights of the minority in Wales safeguarded under the original clause? There was not a word about it. As their Lordships knew, the rights of the minority in Wales had been abused in the last few years in this very matter of elementary education, and yet they were to be governed absolutely by the votes of the majority in the Welsh Council. As the noble Earl had said, there was no such general approval of the clause in the original shape as would justify the Government in proceeding with it. What did they do? They turned the clause inside out, and in the final shape in which it was now presented it was absolutely unworkable,

He did not think there was anyone in the country outside the ranks of the permanent Civil Servants who had a greater administrative experience in Treasury matters than he had, and he ventured to say that the financial control by the Treasury which was now proposed by the clause would be absolutely inefficient for financial purposes, and would be worse than inefficient for educational purposes. The Treasury was accustomed to raise ways and means for the expenditure of the country, and to check the expenditure of the various departments so far as it was able to control them, which sometimes was not to any great extent, but it was impossible for the Treasury to judge what the educational policy of such a body as the proposed Welsh Council ought to be, and to decide on the details of the Estimates both from the point of view of those who desired the efficiency of education, and from the point of view of a department which desired to restrict expenditure.

From his own experience he knew that the thing was absolutely unworkable, and there was nothing in the Intermediate Education Act which in any sense would justify such an experiment. The administration of that Act was entrusted not to the Treasury, but to the Charity Commissioners, whose powers had since been transferred to the Board of Education, but that Board had been deliberately cut out of this clause as far as it was possible to do so. The Government had not been too ready to accept suggestions from that side of the House for the Amendment of the Bill, but this clause was thrown on the Table for them to amend as they liked. If they desired they might put in the Board of Education instead of the Treasury; indeed, if he interpreted the noble Earl aright, the Government were prepared to accept pretty nearly any Amendments they might put into this clause.

THE EARL OF CREWE: I certainly did not go as far as that.

*VISCOUNT ST. ALDWYN thought that was very nearly the position. The noble Earl had admitted the importance of the proposal, but said that some change of this kind was desired by the majority of the population of Wales. It might be so; he did not question that. But the more important the matter was, the greater the desire might be for such a change, the more incumbent it was on the Government to consider it carefully from every point of view before they embodied their proposals in the Bill. Yet they had had three different editions of the proposal, none of them satisfactory, and now their Lordships were asked to help the Government in finding another edition. In his humble opinion that was not the way to deal with a question which might become a great constitutional question if they went beyond a certain point in attempting to deal with it, and he hoped their Lordships would reject the clause.

*THE LORD BISHOP OF HEREFORD said he had in his diocese a considerable portion of two Welsh counties, and his observation during the last eleven years had enabled him to form an opinion on this subject at first hand. He, therefore, hoped he would not be considered intrusive in venturing to take a small part in this discussion. He thought it would be a real misfortune if this clause were rejected, and he was positive that its rejection would produce consequences which their Lordships would not desire. He, therefore, sincerely hoped that the clause would be passed possibly with some Amendment, and that it would remain an integral part of the Bill. Looked at from a purely educational point of view, the point of view which he personally had endeavoured to maintain throughout these discussions, he could not but feel that it was a very reasonable clause.

The noble Marquess, Lord Londonderry, had gone back to the year 1846, but he preferred to look upon the present state of things as resulting in some degree from what was done in the year 1889. The Intermediate Education Act for Wales had, by universal consent, been of the greatest possible value to education. Knowing some of its results in those counties with which he was connected, he had often wished that they could have had such an Act in force throughout the length and breadth of the country. Had that been so, the intermediate education of England would have been in a far more advanced condition than it was to-day. No one who knew the Welsh people questioned for a moment their intense enthusiasm for education, and no one who had visited, as he had, the Welsh colleges in Cardiff and Aberystwyth could for a moment doubt what an immense benefit had accrued to the Welsh people in every grade of life through their enthusiasm for popular education. He held that the clause was a natural development of the Act of 1889; it was simply another case of extended devolution.

He could not share the a'arm—whether it was real or artificial he was not quite sure—which had been expressed with regard to the bogey of Home Rule. There were persons whose imaginations became so inflamed when they had to discuss matters of local self-government that these bogeys rose in front of them at every turn; but, when they looked at this matter dispassionately and from an educational point of view, he ventured to assert that they must recognise that the clause was simply a natural expansion of the principle of devolution which had worked so well under the Intermediate Education Act. He thought they ought to bear in mind the fact that the powers given under this clause were simply administrative powers. Looking at the clause as it stood, he thought the Government had been careful to protect and safeguard the rights of minorities. He was glad that it should be so, because he had for many years past been in the position of advocating the rights of minorities in one cause or another when they did not receive so much attention from noble Lords opposite as they appeared to receive now.

He thought that the safeguards were of a very adequate kind, and that the administrative liberty of the proposed council would, be surrounded on all important sides by what had come to be called a "barbed wire entanglement." He saw no possible loophole for maladministration. If noble Lords opposite were dissatisfied in regard to Treasury control or any other particular point, it would be as well that they should at this stage suggest Amendments. They had not been shy of suggesting Amendments to the Bill, why should they be so shy on this particular clause? He hoped the clause would keep its place in the Bill either as it now stood or with some reasonable Amendment.

On Question, "That Clause 26 stand part of the Bill," their Lordships divided: Contents, 44; Not-contents, 109.

CONTENTS.

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Chichester, E.
Craven, E.
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Althorp, V. (*L. Chamberlain.*)

Hereford, L. Bp.
Boston, L.
Burghclere, L.
Colebrooke, L.
Coleridge, L.
Courtney of Penwith, L.
Davey, L.
Denman, L. [*Teller.*]
Elgin, L. (*E. Elgin and Kincardine.*)
Eversley, L.
Farrer, L.
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Granard, L. (*E. Granard.*) [*Teller.*]
Grimthorpe, L.
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Kinnaird, L.
Lyveden, L.
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Pirrie, L.
Reay, L.
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Cawdor, E.
Clarendon, E.
Denbigh, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
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Eldon, E.
Feversham, E.
Halsbury, E.
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Belhaven and Stenton, L.
Biddulph, L.
Blythswood, L.
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Brodrick, L. (*V. Midleton.*)
Brougham and Vaux, L.
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Clifford of Chudleigh, L.
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de Ross, L.
Digby, L.
Estcourt, L.
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Forester, L.
Gage, L. (*V. Gage*)
Hatherton, L.
Hay, L. (*E. Kinnoul.*)
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Ravensworth, L.
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Ritchie of Dundee, L.
Robertson, L.
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Stalbridge, L.
Stanmore, L.
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Stratheden, and Campbell, L.
Stuart of Castle Stuart, L. (*E. Moray.*)
Ventry, L.
Vivian, L.
Waleran, L.

Clauses 27, 28, and 29 agreed to.

The Marquess of SALISBURY moved to add the following new clause after Clause 29—"Section 16 of the Education Act, 1902, shall apply to any failure of a local education authority to fulfil any of their duties under this Act." He said there was a clause at the end of the Bill which prescribed that it was to be read along with the other Education Acts. He did not know how far that would apply all the provisions of former Education Acts, such as were not repealed, to this Act. If the noble Earl in charge of the Bill assured him that Section 16 of the Act of 1902 would apply under the provisions of the Bill as they stood, he would not press his Amendment. But if there was any doubt about it he submitted that his Amendment was required. Some such provision was necessary, because, whether the Bill was to be finally passed in the form in which it now stood, or, indeed, even in the original condition in which the Government introduced it into their Lordships' House, there must be certain Orders of the Board of Education which would require to be enforced. For example, as the Government introduced the Bill Clause 3 was mandatory upon the local education authority, and if the local authority did not comply, there must be some machinery created under which they could be compelled to do so. Then, again, under Clause 5 as the Bill was introduced to their Lordships' House the Board of Education, on appeal, were empowered to make Orders compelling the local education authority to take certain action. If these Orders were to be carried out there must be some means of enforcing them. The method adopted in the Act of 1902 was contained in Section 16 of that Act, and in the absence of any other provision it appeared to him necessary that that clause should be embodied. But, as he had said, if the noble Earl could assure him that it was already embodied he would not persist in his Amendment.

Amendment moved—

"To insert the following new clause, 'Section 16 of the Education Act, 1902, shall apply to any failure of a local education authority to fulfil any of their duties under this Act.'"—(*The Marquess of Salisbury.*)

The Earl of CREWE: The noble Marquess has explained quite correctly the state of affairs. It certainly was the intention of His Majesty's Government to incorporate Section 16 of the Act of 1902 in this Bill. There is just a doubt as to whether that is done without the insertion of a clause of this kind. I am looking into the matter and provisionally will accept the noble Marquess's Amendment; but if it should prove at a later stage that it is not necessary I hope the noble Marquess will not mind its being removed.

THE MARQUESS OF SALISBURY indicated his agreement.

On Question, Amendment agreed to.

LORD STANLEY OF ALDERLEY moved a new clause making it lawful for any ratepayer to have access to the books and documents of the local education authority without payment. He said that this right was enjoyed by ratepayers under the Act of 1870 and was only taken away by the Act of 1902. He had reproduced the words of the Act of 1870, with this very small modification, that he provided that the local authority might refuse to disclose any particular document if they could satisfy a court of summary jurisdiction that there were special grounds for refusing the demands as being under the circumstances unreasonable. He could imagine, of course, that there might be confidential letters and papers which it would not be advisable to produce.

Amendment moved—

"To insert the following new clause: 'It shall be lawful for any ratepayer in the district of a local education authority, at all reasonable times without payment, to inspect and take copies of, or extracts from, all books and documents relating to education belonging to or under the control of the local authority. Any person who hinders a ratepayer from so inspecting or taking copies of, or extracts from, any book or document, or demands a fee for allowing him to do so, shall be liable, on summary conviction, to a penalty not exceeding five pounds for each offence, provided that the local authority may refuse to disclose any particular document if they can satisfy a court of summary jurisdiction that there are special grounds for refusing the demand as being under the circumstances unreasonable.'"—(*Lord Stanley of Alderley.*)

The EARL OF CREWE: This is in some respects rather a doubtful matter, and there are arguments against going the full length which the noble Lord desires. Under Section 233 of the Municipal Corporations Act, 1882, the minutes of a council are open to burgesses on payment of 1s. They may make copies and extracts, and also inspect any orders for the payment of money. The noble Lord complains that the larger power, although applicable to the old school boards, is not now applicable to the local authorities in respect of education. It is obvious that it is very difficult to give these powers in respect of educational matters without giving them in respect of other matters with which the local authorities are concerned. An attempt was made in the London Act of 1903 to meet the case by applying the powers I have mentioned to the Education Committee of the London County Council. If the noble Lord will agree to the giving of those powers of inspecting minutes and orders to pay in the case of all education committees we should be prepared to go as far as that; and I might remind the noble Lord that if we are to delegate money-spending powers to small committees the power of inspecting the orders would be a very valuable one to the ratepayers in that case. I hope my noble friend will agree to limit the power in the way suggested, and if he does I will bring up a clause at a later stage.

LORD STANLEY OF ALDERLEY said that the offer made by the noble Earl was, to his mind, quite inadequate to secure that proper knowledge of the way the business was transacted which the ratepayers had a right to have. Some noble Lords might have seen a letter in the *Westminster Gazette* the other day calling attention to the fact that in the Tower Hamlets Division, where there was a great pressure of school accommodation, the managers, in making remonstrances to the local authority and complaining of the want of school provision, desired to fortify their case by submitting the figures in the adjacent schools showing that they were overcrowded. That information was actually withheld, and the managers were not allowed, although the documents were in the possession of the local authority, to know what was the relation of school provision to school attendance in that neighbourhood. If such information could be refused it prevented that valuable criticism which the electors had a right to bring to bear on those who transacted their business. This was not a new clause, but one which had worked well for thirty-two years, and he believed the Liberal Party actively protested against its repeal in the Act of 1902. He gathered from what the noble Earl had said that unless he accepted the offer now made he would get nothing. The responsibility must rest with the noble Earl to put down a new clause on this matter. As what the noble Earl had offered him was, to his mind, quite inadequate, he must allow the Amendment to be negatived.

On question, Amendment negatived.

Remaining clause agreed to.

On Schedule :—

THE CHAIRMAN OF COMMITTEES: My Lords, I would point out that the Bill has undergone very considerable amendment since the Amendments to the Schedule were put down, and that it is not outside the bounds of possibility that there may be still further Amendments on Report, involving further alterations of the Schedule. I therefore think it would be more convenient if the most rev. Primate and the other noble Lords who have put down Amendments to the Schedule would defer them until a later stage when the Bill assumes its final shape.

THE EARL OF CREWE: I think your Lordships will be disposed to fall in with the suggestion of the noble Earl the Lord Chairman. The schedule is naturally explanatory and consequential, and it would be a waste of time to bring it now into conformity with the Bill, when it is possible that further alterations may be made. I therefore think your Lordships would be wise in deferring the Amendments to the Schedule.

VISCOUNT LLANDAFF assented. If the Bill was to be further altered there could, he said, be no object in proceeding with the Amendments to the Schedule at this stage.

On Question, Schedule agreed to.

Standing Committee negatived. The report of Amendments to be received on Thursday next, and Bill to be printed as amended. (No. 214.)

House adjourned during pleasure.

House resumed by the Lord FITZMAURICE.

MERCHANT SHIPPING ACTS AMENDMENT (No. 2) BILL.

Brought from the Commons; read 1^a; to be printed; and to be read 2^a on Tuesday next: The Lord Granard [*E. Granard*]). (No. 216.)

House adjourned at Seven o'clock
to Monday next, a quarter
past Four o'clock.

HOUSE OF COMMONS.

Thursday, 22*nd November*, 1906.

The House met at a quarter before Three of the Clock.

PRIVATE BILL BUSINESS.

Great Northern Railway (Ireland) Bill [Lords]. Read a third time, and passed, with Amendments.

Edinburgh Corporation (Superannuation) Order Confirmation Bill. Considered; to be read the third time To-morrow.

PETITIONS.

PARLIAMENTARY FRANCISE.

Petitions for extension to women; from New Barnet, and Torpoint; to lie upon the Table.

VACCINATION ACTS (COMPULSORY CLAUSES).

Petition from Bristol, for repeal; to lie upon the Table.

RETURNS, REPORTS, ETC.

IRISH LAND COMMISSION (PROCEEDINGS).

Copy presented, of Return of Proceedings during the month of October, 1906 [by Command]; to lie upon the Table.

POLLING DISTRICTS (COUNTY OF DURHAM).

Copy presented, of Order made by the County Council of Durham altering certain polling districts in the Chester-le-Street Parliamentary Division [by Act]; to lie upon the Table.

COLONIAL REPORTS (ANNUAL).

Copy presented, of Colonial Report No. 510 (St. Vincent, Report for 1905–6) [by Command]; to lie upon the Table.

INCLOSURES (COUNTY OF GLOUCESTER).

Return presented, relative thereto [ordered 19th June; *Mr. Essex*]; to lie upon the Table.

INCLOSURES (COUNTY OF CUMBERLAND.)

Return presented, relative thereto [ordered 26th June; *Mr. Fullerton*]; to lie upon the Table.

INCLOSURES (COUNTY OF NORFOLK).

Return presented, relative thereto [ordered 29th June; *Mr. Winfrey*]; to lie upon the Table.

INCLOSURES (COUNTY OF SUFFOLK).

Return presented, relative thereto [ordered 11th July; *Mr. George Hardy*]; to lie upon the Table.

INCLOSURES (COUNTY OF SURREY).

Return presented, relative thereto [ordered 13th July; *Mr. Marnham*]; to lie upon the Table.

INCLOSURES (COUNTY OF KENT).

Return presented. relative thereto [ordered 1st August; *Mr. Rowlands*]; to lie upon the Table.

MUNICIPAL EMPLOYEES.

Return ordered, "showing the number of persons in the employ of the London County Council and the council of each metropolitan borough and of each county borough in England and Wales at any time during the week ended Saturday, the 3rd day of November, 1906, distinguishing the number employed on the clerical staff."—(*Mr. Claude Hay.*)

PERTH PRISON.

Return ordered, "showing (1) number of prisoners transfered from Barlinnie Prison to Perth Prison during the past three years; (2) length of original sentence on each of the above prisoners; (3) length of sentence still to run at the date of transfer."—(*Mr. Mitchell-Thomson.*)

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Machinery of Battleships—Government Work and Private Contractors.

MR. BELLAIRS (Lynn Regis): To ask the Secretary to the Admiralty whether he is aware that an experiment was at one time tried of making engines in the Government establishments, H.M.S. "Encounter" and some sloops being selected for the purpose, that H.M.S. "Encounter's" completion was delayed in consequence, and her trials were on several occasions unsatisfactory; whether he is also aware that the dockyard machinery of the "Fantome" and "Merlin" cost more than £28,000 in each case, while that obtained by contract for the "Espiegle" of the same class, cost £18,516; and, if so, whether the Board will discourage attempts to substitute work in Government establishments for what is already done economically and efficiently by private firms.

(*Answered by Mr. Edmund Robertson.*) Engines have been made in the dockyards for His Majesty's vessels, including the "Encounter," and the delay in the completion of her trials is not attributable to this, nor was the manufacture considered solely in the light of an experiment. The question of the relative cost of the machinery of the vessels named was dealt with by the Comptroller and Auditor General in his Report, 1902–3, page 220, paragraph 8, and also in Report of Public Accounts Committee, 1903, pages 76 and 77. The question as to distribution of work between Government yards and private firms is and will be carefully considered in the placing of orders.

Service Gratuities—Case of Mrs. Pitt, late of Royal William Victualling Yard, Devonport.

SIR JOHN BENN (Devonport): To ask the Secretary to the Admiralty whether he is aware that Mrs. E. Pitt, who has been working in the Royal William Victualling Yard, Devonport, for seventeen and a half years was discharged last month at a few days notice without a gratuity; and whether, in view of the fact that she was promised such consideration at the end of her service, he will cause inquiries to be made in her case, so that the usual allowance may be granted.

(*Answered by Mr. Edmund Robertson.*) Mrs. Pitts, hired bedmaker, was, after three weeks notice, discharged on the 31st ultimo, having been allowed to remain in the service for some time after reaching the usual age. It is not possible to award her a service gratuity because, although her original entry was in April, 1889, her total service was less than fifteen years, which under the Superannuation Acts, is the minimum period necessary to qualify a hired person, discharged on account of age, for an award. Mrs. Pitts' actual service amounted to fourteen years twenty-eight days; but, in view of the broken and intermittent character, the rules do not permit of more than eleven years 301 days being reckoned for the purpose of a gratuity. In regard to the alleged promise, Mrs Pitts was merely informed that she would receive such treatment on discharge as her services entitled her to under the regulations. The question of awarding Mrs. Pitts a small grant from the Civil Compassionate Fund will be considered.

Compensation for loss of hearing to Lieutenant F. Coplestone.

MR. MOND (Chester): To ask the Secretary to the Admiralty whether his attention has been called to the case of Lieutenant F. Coplestone, retired owing to the loss of hearing in one ear caused by gunfire, who has been awarded the sum of £32 as compensation for the loss of the hearing of this ear; whether this is the usual amount of compensation paid for such an accident; and whether, in view of the inadequacy of the amount in relation to the injury sustained, he will consider the question of revising the sums payable in this and similar cases.

(*Answered by Mr. Edmund Robertson.*) This case has received the careful consideration of the Admiralty. Lieutenant Coplestone was invalided in October last for deafness and placed on the retired list on half pay of 5s. a day. As the disability from which he suffered was probably an after result of concussion from gunfire, when he was serving as midshipman on H.M.S. "Hannibal," in 1901 (although this is not certain), his case was treated as for an injury received on duty, and he was medically surveyed in respect of the extent of the injury. This having been reported to be "not equal to the loss of a limb," the Admiralty have no power to grant more than the limit fixed by the regulations, viz., a gratuity of less than one year's full pay of an officer's rank at the time of the accident. Mr. Coplestone was accordingly awarded the most that he could receive, viz., a gratuity of 364 days pay as midshipman, and he was informed that if his deafness increased to a serious extent his case would be reconsidered on his presenting it. The Answer to the second part of the Question is in the affirmative, and it is not proposed to make any alteration in the regulations.

Advertising Vacant Postmastership, etc.

MR. MORTON (Sutherland): To ask the Postmater-General if his attention has been called to the fact that the postmastership of Dalkeith, the postmistress-ship of South Queensferry, and the postmistress-ship of Bridge of Allan, have been filled without advertisement in the Post Office circular; whether departmental witnesses before the Select Committee of this House on Post Office Wages, have assured Members that vacancies were advertised, to give all grades a chance of making application; and, if so, whether the Postmaster-General can state the reason for the abandonment of this policy.

(*Answered by Mr. Sydney Buxton.*) The postmasters and mistresses of the offices referred to were interchanged for disciplinary reasons, and there was no question of filling vacancies in the ordinary sense. As explained to the Select Committee, it is necessary on certain rare occasions to depart from the ordinary practice of advertising vacant postmasterships.

Telegraph Learners at Carlisle.

MR. CHANCE (Carlisle): To ask the Postmaster-General, whether there are two male telegraph learners at Carlisle awaiting appointment who have been in the service six years; whether two vacancies exist in the ranks of male telegraphists and, if so, whether he will take steps to fill these vacancies as soon as possible.

(*Answered by Mr. Sydney Buxton.*) The two appointments in question are in process of being carried out and will be completed very shortly. The service as learner, however, dates in both cases from February, 1902.

Telegraph Delays at Bristol.

Mr. W. T. WILSON (Lancashire, Westhoughton): To ask the Postmaster-General whether he is aware that during the recent visit of the Minister of Education to Bristol, the commercial telegraph work suffered delay, the staff in the daytime was reduced in order to attend for the press work in the evening; that messages of urgent business importance were delayed over 60 minutes; that 220 waits were given on the concentrator system; that a number of sets of instruments were unused for want of staff; and whether he will inquire into the arrangements of the Bristol office;

(*Answered by Mr. Sydney Buxton.*) I am having inquiry made upon the subject and will inform the hon. Member of the result.

Overtime and Pressure of Work in the Post Office Telegraph Department.

Mr. W. T. WILSON: To ask the Postmaster-General, whether the staff at the telegraph office drew his attention to telegraphic work and abnormal pressure during the summer months; whether it was alleged by the department that no abnormal pressure existed as overtime was avoided; whether at that time officers employed in the survey branch and chief superintendent's office were placed on instrument duty in the telegraph office; whether their arrears of work were cleared off by the staff taking official papers to their homes and attending office on the Sunday; whether, in recognition of the extra work imposed on these men, a number of days' holiday have been added to their annual leave; and whether he was aware of these facts when he stated that as overtime payment was avoided no pressure existed.

(*Answered by Mr. Sydney Buxton.*) I have already given the matter attention, but am making further inquiry into the question

Management of Crown Lands.

Mr. ROGERS (Wiltshire, Devizes): To ask the Secretary to the Treasury, whether, in view of the fact that the agents to the Woods and Forests Commissioners receive as remuneration for management of their agricultural property a poundage on the rents collected, when the farms are let, and fixed fees for the management of each farm in hand, and in view of the fact that in the case of the 4,280 acres in hand during the year ending 31st March, 1906, the expenditure exceeded the receipts, he will state what these fixed fees are, how they are arrived at, and whether the Commissioners are considering the substitution of a poundage on profits for fixed fees as remuneration for the management of those farms which are in hand.

(*Answered by Mr. McKenna.*) The fixed fees allowed to the agents in respect of farms in hand include their expenses. They are usually fixed with reference to the rent that may be expected and to the number of visits to the property that under ordinary circumstances are to be anticipated and the expenses entailed by such visits. The fees allowed are as follows:—

	£	*s.*	*d.*
Burwell—917 acres - -	62	0	0
Barton Farm—768 acres, together with woodlands containing 345 acres and the charge of several miles of roads and sea wall, &c. -	150	0	0
Neats Court (Isle of Sheppy) 1,157½ acres - - -	49	7	0
Potters Hill (Oxford)—490½ acres - - - -	52	0	0
Shimpling (Suffolk)—572 acres	45	0	0
Land at Wingland (Lincolnshire)—357 acres - -	36	0	0
	£394	7	0

The question of the remuneration of the agents on the profits has been considered, but it has not been held to be practicable or desirable to adopt such a system.

Women's Enfranchisement—Arrest of Miss Milne.

Mr. CLYNES (Manchester, N.E.): To ask the Secretary of State for the Home Department, whether, in view of the fact that Miss Milne, of Manchester, is now in prison for actions which are merely acts of peaceful protest, and which the evidence in the Westminister police court shows were committed, at the same time, by other ladies, he will explain why action has not been taken against these other ladies; and whether he will take steps to secure that different treatment shall not be given in the case of persons who in the same manner are proclaiming their title to a vote.

(*Answered by Mr. Secretary Gladstone.*) On inquiry into the facts I find that Miss Milne was convicted of resisting the police in the execution of their duty. Their duty was to prevent an illegal assembly in the immediate vicinity of this House, and I see no reason to give them any instructions to make more arrests than are necessary for the purpose of discharging this duty.

Motor Omnibuses—Danger to Travelling Public.

Mr. T. DAVIES (Fulham): To ask the Secretary of State for the Home Department, whether his attention has been called to several accidents to motor omnibuses in crossing the bridges of London; is he aware that, on 30th October, while a motor omnibus was proceeding northward over Waterloo Bridge, it mounted the pavement on the west side and collided with the parapet and damaged it for about 125 feet, and had not the structure been specially strong the omnibus and passengers would have gone over; and, in view of the consequences which may have ensued, will he cause to be issued special regulations so as to ensure the safety of the travelling public.

(*Answered by Mr. Gladstone Secretary.*) I have seen reports of the accident on Waterloo Bridge which was due to skidding, and I have already communicated with the Commissioner of Police about this occurrence, and on the general question of such accidents on bridges.

Education Aid Grants.

Mr. BRACE (Glamorganshire, S.): To ask the President of the Board of Education, whether his attention has been called to the effect upon heavily rated education authorities, of the system adopted in the dispensation of the new special aid grant, voted for this year; and whether, in the Bill promised for next session, he will have regard, in the dispensation of all Exchequer grants for education, to the proceeds of a rate of a penny in the pound divided by the number of elementary school children to be educated, to the existing school provision, and to the liabilities now borne by operative districts which have had in the past few years to burden themselves heavily in the provision of new council school accommodation.

(*Answered by Mr. Birrell.*) I have nothing to add to the reply I gave on the 16th instant to the hon. Member for Essex (South-East).† The matter is being very carefully considered.

Refusal of Application of Pupil Teachers to enter Cheltenham Training College.

Mr. O'GRADY (Leeds, E.): To ask the President of the Board of Education whether the case of a pupil teacher studying at the Thoresby High School, Leeds, having made application to enter the Ladies' Training College, Cheltenham, and whose application was refused, has been officially submitted to him by the Leeds education authority for inquiry; if so, has such inquiry been made, and with what result.

(*Answered by Mr. Birrell.*) The answer to the first paragraph is in the affirmative. Careful inquiry will be made into the matter referred to in the Question. I may add that Miss Beale, the late head of the college, died only a few days ago. Her death is a great loss for all who are interested in the development of women's education, in which she played so large a part.

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† See Col. 223.

Protest against proposed Partition of Khandesh, Bombay Presidency.

Dr. RUTHERFORD (Middlesex, Brentford): To ask the Secretary of State for India whether his attention has been drawn to a memorial of protest against the proposal to partition the district of Khandesh, in the Bombay Presidency, which has been addressed to the Governor of Bombay by the citizens of Dhalia, the chief town of the district, in public meeting assembled; and whether, in view of the complaint made in the memorial that the inhabitants of the district have not been consulted in the matter, he will issue instructions to the various administrations in India that due consideration shall in future be shown to the wishes and sentiments of the people concerned before such measures of dismemberment are put into operation.

(*Answered by Mr. Secretary Morley.*) I promised, in reply to a similar Question which the hon. Member asked on the 13th November with reference to the Madura District, to communicate with the Government of Madras on the subject.† I will communicate in the same sense with the Government of India and the Government of Bombay.

Police and Students at Mymensingh.

Dr. RUTHERFORD: To ask the Secretary of State for India whether his attention has been drawn to the unprovoked attack, on the 27th October last, made by a body of police, led in person by the district superintendent, upon a party of students at Mymensingh who were on their way to the gaol to welcome a fellow student on his release from a term of imprisonment inflicted for participation in the Swadeshi movement; and whether he will inquire into the circumstances of this assault upon a number of individuals who were committing no offence at the time.

(*Answered by Mr. Secretary Morley.*) My attention has been called to a newspaper report of the occurrence to which the hon. Member refers. If the information which that report contains is correct, the persons aggrieved have their remedy either in a court of law or by appeal to the local government and to the Government of India. As at present advised, I see no reason for taking any action.

Irish Land Tenants.

Mr. THOMAS O'DONNELL (Kerry, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can take steps to find out the number of future tenants in Ireland; and whether seeing that they are excluded from all benefits under the rent-fixing clauses of the Land Acts, and are thus as much at the mercy of their landlords as the Irish tenant of the 'seventies, steps will be taken to amend the law so as to bring future tenants within its operation.

(*Answered by Mr. Bryce.*) I beg to refer to the very full Answer given by my right hon. friend the Attorney-General for Ireland to a Question on this subject put by the hon. Member for North Westmeath on 7th March last.‡ The hon. Member will see from that answer that it is incorrect to suggest that future tenants are at the mercy of their landlords, seeing that, if such tenants are evicted without cause, they are entitled to compensation for both disturbance and improvements. I have already stated on several occasions that I cannot, in reply to a Question, discuss the possibility of legislation in regard to future tenants.

The Case of J. R. O'Sullivan.

Mr. FLYNN (Cork, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he has received a copy of a resolution passed by the Millstreet Board of Guardians, and which has been forwarded to His Excellency the Lord-Lieutenant of Ireland praying for the release of the political prisoner, John R. O'Sullivan, now confined in Maryborough Prison, and who has already suffered sixteen years imprisonment in connection with an agrarian offence; and whether, in view of the peaceable condition of the entire district, and the precarious condition of the health of the prisoner's wife, he will use his good offices with His Excellency towards securing the exercise of the clemency of the Crown in regard to the prisoner.

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† See (4) *Debates*, clxiv., 1286–7.

‡ See (4) *Debates*, cliii., 452.

(*Answered by Mr. Bryce.*) A copy of the resolution passed by the Millstreet Rural District Council, appealing for the release of John R. Sullivan, has been received and will be submitted to the Lord-Lieutenant. It is to be observed that the offences of which Sullivan was convicted cannot properly be described as political offences. I am informed that Sullivan has now served almost fifteen years of the sentences imposed upon him, and at the expiration of that period his case will come before His Excellency for consideration. It does not fall within my province to make any recommendation to the Lord-Lieutenant upon the subject, but the hon. Member may rest assured that all the circumstances of the case will receive full consideration at His Excellency's hands.

Purchase of the Clonfin Estate, North Longford.

MR. J. P. FARRELL (Longford, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any further steps have been taken by the Estates Commissioners to acquire the Clonfin estate in North Longford, as an insolvent estate, with a view to dividing the 400 acres of untenanted lands on it between the evicted tenants of county Longford, of whom eighty-six have made application for restoration to the Commissioners.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that no further information on the subject of this estate has reached them since I answered the hon. Member's previous Question on 23rd July last.† The Commissioners, however, are again communicating with the solicitors who represent the estate.

Refusal of Gun Licence.

MR. J. P. FARRELL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Mr. John M. Kilkelly, R.M., at Longford has refused to grant to Thomas Casey, of Caltrabeg, barony of Rathcline, county Longford, a licence to carry arms beyond the confines of his own farm, although he has a licence to keep a gun in his house and carry the same on his farm; whether he is aware that Mr. Casey is a respectable young man, never charged with any offence, and wants to get the extended licence in order occasionally to visit the farm of his sister at Elfeete, three miles distant; and will he direct that the usual licence be now granted to him.

(*Answered by Mr. Bryce.*) The resident magistrate informs me that he has no record of having refused to grant an extension of licence to Thomas Casey. The discretion of issuing these licences is vested in the resident magistrate, and the proper course would appear to be for Casey to make a formal application to the magistrate, and this will, I have no doubt, receive due consideration.

Purchase of the Crofton Estate, North Longford.

MR. J. P. FARRELL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any proposals have yet been made to or by the Estates Commissioners for the purchase of the Crofton estate at Kiltycreevagh in North Longford; whether he is aware that for at least two years past there are at least six persons claiming to own this property, on which there are sixty farms, most of them being under £4 valuation; whether he is aware that the tenants are anxious to have this estate purchased by the Estates Commissioners as a congested estate, and so dealt with by them; whether any inspection of the property can be ordered with a view to such purchase; and, if so, will he direct that an inspector will visit this district with a view to making a Report on the general state of the property and its being an estate which comes within the meaning of the Land Purchase Act of 1903.

(*Answered by Mr. Bryce.*) The Estates Commissioners assume that this Question refers to the estate of Miss M. A. Crofton, county Leitrim. They inform me that they have had this estate inspected with a view to purchase, and have communicated to the owner's agent the estimated price which they are prepared to give, but have not yet heard whether the owner will accept that price. The Commissioners are not aware of any complications in the title, but this will be a matter for subsequent investigation.

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† See (4) *Debates*, clxi., 693.

Applications of Evicted Tenants for Reinstatement in county Longford.

MR. J. P. FARRELL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland, to state the number of applications made by evicted tenants for restoration under the Land Purchase Act, 1903, to their own or equivalent holdings in county Longford; how many of these applications have been dealt with by the Commissioners, and in how many cases has restoration taken place; and can he hold out any hopes of a speedy settlement of these cases by migration or otherwise.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that 108 applications for reinstatement have been received from evicted tenants in county Longford. In thirteen of the cases the applicants are outside the scope of the Act, and in three cases the Commissioners have decided to take no action. Sixteen applicants have been reinstated by the landlord, and one by the Commissioners. The remaining applications will be inquired into as soon as possible.

English Education Grants—Equivalent Grant to Ireland.

MR. FLYNN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can say what arrangements have been proposed for a grant to Ireland as an equivalent for the proposed additional grant to England and Wales under the present Education Bill; and whether, in view of the admittedly defective condition of primary education in Ireland in regard to school buildings, salaries, and other matters, the Irish Government will make adequate representations to the Treasury authorities before the Education Estimates for 1906–7 are prepared.

(*Answered by Mr. Bryce.*) In reply to the first part of the Question, I would refer to the Answer given by the Chancellor of the Exchequer to a Question put by the hon. Member for North Derry on 30th April.† My right hon. friend then stated that, as the financial arrangements under the Education Bill will not come into force during the present financial year, it would be premature to come to any decision upon the question of an equivalent grant for Ireland. As to the remaining part of the Question, I understand that the estimates for national education in Ireland are at present under the consideration of the Commissioners of National Education in Ireland.

Refusal to admit to Licensed Premises.

MR. GLENDINNING (Antrim, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the attention of the Irish Government has been called to the fact that Mr. Lindsay Crawford and his friends were refused admission to the Brownlow Arms Hotel, Lurgan, a few days ago: and, as these are licensed premises, have the police instituted proceedings against the proprietors for this breach of the law.

(*Answered by Mr. Bryce.*) I am informed that on the 12th inst, a few days before the polling for North Armagh, Mr. Crawford and his friends were refused admission to the Brownlow Arms Hotel at Lurgan. It would appear that Mr. Crawford had just attempted to address a meeting but had failed to obtain a hearing, and was being pursued by a large and somewhat menacing crowd when he sought admission to the hotel. In the opinion of the police the house would have suffered at the hands of the crowd, despite the efforts of the police, if Mr. Crawford had been admitted. No proceedings have yet been instituted, but the question whether an offence against the licensing or other law was committed by the proprietor of the hotel is at present under consideration.

Purchase of Untenanted Land on the M'Farlane Estate, County Tyrone.

MR. MURNAGHAN (Tyrone, Mid.): To ask the Chief Secretary to the Lord

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† See (4) *Debates*, clvi., 237.

Lieutenant of Ireland whether he is aware that an application by the tenant purchasers of the M'Farlane property situate at Mullaghearn, County Tyrone, was made to the Estates Commissioners, urging them to buy the untenanted portion of the estate for enlargement purposes, in order to give relief to the several tenants whose holdings are too small to afford a livelihood to the occupiers, will he say what reply was given to the application, and if any steps have been taken by the Estates Commissioners to take over the untenanted land with the view of distributing it among the purchasers of uneconomic farms; and further, will he urge on the Estates Commissioners the desirability of taking immediate steps to get possession of that part of the estate available for enlarging or otherwise enhancing the value of the small holdings.

MR. MURNAGHAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the tenant purchasers of the M'Farlane property at Mullaghearn, county Tyrone, are in a state of anxiety lest the sporting rights be purchased over their heads to the detriment of their holdings; is he aware that the Estates Commissioners have been asked to purchase these rights on behalf of the tenants in order to safeguard the crops against destruction by game and injury to fences by sportsmen; will he state what steps have been taken in this direction; and, seeing that the sporting rights are advertised for sale on the 30th instant before the Master of the Rolls, will he point out to the Estates Commissioners the desirability of being represented at the sale to secure for the tenants the undisturbed enjoyment of their holdings, the cost of which the tenants are willing to have added to the purchase price.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they cannot trace the receipt of any application from the tenants in respect of either the untenanted lands or the sporting rights on the McFarlane Estate. It would appear from the second Question that the estate is in the Land Judge's Court. The Commissioners have not issued any request under Section 7 with a view to acquiring the property, and if, as would appear from the Question, the sporting rights are about to be sold by auction as a separate property, the Commissioners would have no legal power to purchase property of this nature.

Dr. Kenny's Galway Estate.

MR. JOHN ROCHE (Galway, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Congested Districts Board have purchased Dr. Kenny's estate in the county of Galway, which has been in the possession of the Board for nearly three years; and, seeing that there are six families living upon it whose holdings do not exceed more than one acre each, and that there are four others under £5 valutaion, will he direct that the land be distributed without further delay.

(*Answered by Mr. Bryce.*) The Congested Districts Board arranged to purchase the estate in question in August, 1904, that is a little over two years ago. The estate has not yet been legally vested in the Board, but until this is done steps cannot be taken for its re-sale to the tenants.

Gun Licences for Irish Farmers.

MR. JOHN ROCHE: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Mr. Thomas Keary, D.C., of Kililand Mills, county Galway, has purchased his holding, which contains 40 acres; and whether he will direct the resident magistrate to grant him a licence for a gun so that he may protect his crop.

(*Answered by Mr. Bryce.*) It is, I am informed, the fact that Mr. Keary has purchased his farm. I understand that the resident magistrate of the district has, in the exercise of the discretion vested in him, refused to issue a licence to Mr. Keary for the possession of arms. The matter does not appear to require any interference by the Irish Government.

Housing of Irish Town Labourers.

MR. P. A. McHUGH (Sligo, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the condition of labourers in towns in Ireland in regard to housing accommodation; and whether the Government is considering this matter with a view to legislation.

(*Answered by Mr. Bryce.*) In reply to several Questions on this subject earlier in the session, I stated that it is the intention of the Government, at a convenient opportunity, to consider whether any amendments of the law relating to the housing of the working classes in the towns of Ireland may be necessary. I am not in a position to add anything to that statement at present. The matter will not be lost sight of.

Mrs. Lewis's Balinagar Estate.

Mr. DUFFY (Galway, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland how far the negotiations have proceeded in connection with the purchase by the Estates Commissioners of Mrs. Lewis's estate, Balinagar, Loughrea, and when the evicted tenants on the estate may expect anything to be done for them.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they have received their inspector's report upon the estate in question, and it is at present under their consideration. The estimated price of the estate will be communicated to the vendor, and if this should be accepted the question of the reinstatement of evicted tenants will be considered in connection with the re-sale of the lands.

De Freyne Estate.

Mr. DUFFY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state what price was given by the Congested Districts Board for the Ballyfindon, Loughrea, section of the De Freyne estate; and, seeing that the tenants were on the point of purchasing it two years ago from the agent of the estate, whether he will instruct the Congested Districts Board to take steps at once to transfer the lands to the tenants.

(*Answered by Mr. Bryce.*) I am informed that the price paid by the Congested Districts Board for the portion of Lord De Freyne's estate, situate at Ballyfindon, Loughrea, was £3,400. Steps are at present being taken for the sale of the property to the tenants, and the matter will be carried through as soon as possible.

Royal Patriotic Fund.

Mr. BYLES (Salford, N.): To ask the Secretary of State for War whether Mrs. Anne Kerry, the widow of a soldier killed at Inkerman, who has lately been deprived of her Patriotic Fund pension of 10s. a week and sent into hospital at the Loughrea workhouse, cannot be removed to some more congenial hospital and have her pension restored to her; and whether the remaining resources of the Royal Patriotic Fund expressly and generously subscribed half a century ago for her and other widows of Crimean soldiers, do not entitle this lady in her great age and infirmity to more considerate treatment.

(*Answered by Mr. McKenna.*) The facts of this case, as represented to me by the Royal Patriotic Fund Corporation, were fully explained in an Answer given on my behalf on Monday last by my hon. friend the Secretary to the Local Government Board to the hon. Member for South Galway.† I have nothing to add to that reply.

Naval Manœuvres Report.

Sir HOWARD VINCENT (Sheffield, Central): To ask the Secretary to the Admiralty if any Report will be issued concerning the recent naval manœuvres, and the general conclusions to be drawn therefrom, and particularly as regards the safety of the ocean food routes to the United Kingdom and the theories of the so-called blue-water school.

(*Answered by Mr. Edmund Robertson.*) A Report of the recent naval manœuvres will be presented to Parliament shortly, and in the meantime I am unable to anticipate the scope of its contents, which must necessarily be determined by the consideration of the interests of the public service.

Chatham Dockyard.

Mr. E. H. LAMB (Rochester): To ask the Secretary to the Admiralty, in dealing with the allocation of dockyard work, whether he can see his way to follow the example of the Secretary of State for War in connection with Woolwich Arsenal, and fix a minimum below which the number of workmen employed in His Majesty's dockyard at Chatham shall not fall; and whether he will fix such minimum not lower than the number at present employed.

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† See Col. 375.

(*Answered by Mr. Edmund Robertson.*) No definite assurance can be given that the present number of men employed at Chatham will be fixed as a future minimum, having regard to the fact that the number must be determined by the varying requirements of the Fleet.

North Glamorgan Official Receiver.

Mr. KEIR HARDIE (Merthyr Tydvil): To ask the President of the Board of Trade whether it is contemplated to remove the bankruptcy offices from Merthyr Tydvil to Pontypridd; whether the business men of Merthyr and district have been consulted and their consent obtained to the removal; and whether, since the removal is likely to cause loss and inconvenience to the people of Merthyr and district, he will undertake not to sanction the same until opportunity has been given to those interested for further consultation.

(*Answered by Mr. Kearley.*) As regards the intention of fixing the office of the new official receiver for the North Glamorgan district at Pontypridd, the hon. Member is referred to the Answer given orally this afternoon to the other hon. Member for Merthyr Tydvil. It has not been thought necessary to seek the consent of traders and others resident at Merthyr Tydvil on a question which has to be considered with regard to the convenience of the district as a whole. It will, however, be arranged that the new official receiver shall have at Merthyr an agent to represent him in local matters.

Government Stationery Contracts in Ireland.

Mr. SLOAN (Belfast, S.): To ask the Secretary to the Treasury whether he is aware that in the case of firms selected to estimate for work required in London in connection with His Majesty's Stationery Department the Government supply the paper in a large number of cases, but that when sent to Ireland carriage has to be paid by the contractor, and when manufactured has to be returned carriage paid; and whether, seeing that such charges for carriage often mean the entire profit an English firm would have on the whole work, he will in future make arrangements as will enable Irish firms to contract on equal terms with English competitors.

(*Answered by Mr. McKenna.*) The procedure in regard to paper used by Government printing contractors is that the paper is delivered by the makers to the Stationery Offices in London, Dublin, and Edinburgh. In no case would it be practicable for the Stationery Office to pay the cost of carriage to or from provincial contractors.

Technical Agricultural Education.

Mr. ATHERLEY-JONES (Durham, N.W.): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, what is the amount that is annually spent by the educational authorities, national and local, upon technical education in agriculture in England and Wales.

(*Answered by Sir Edward Strachey.*) The expenditure by county councils in England and Wales upon agricultural instruction (exclusive of grants to evening continuation schools) was, approximately, £91,000 in 1903–4, and £87,000 in 1904–5. In the same years the grants made by the Board of Agriculture in aid of educational institutions amounted to £9,200 and £10,200, respectively, so that the expenditure on agricultural education in these two years has been at the rate of nearly £100,000 a year. This is exclusive of grants made by the Board of Education to elementary, secondary, or evening schools where instruction may be given in subjects of an agricultural character.

West Riding Appeal.

Mr. TALBOT (Oxford University): To ask Mr. Attorney-General whether he can say when the appeal from the decision of the Court of Appeal in what is known as the West Riding Case is likely to be heard before the House of Lords.

(*Answered by Sir John Walton.*) The Attorney-General is unable to say at present when this appeal will he heard.

Carrickmacross Postal Arrangements.

MR. McKEAN (Monaghan, S.): To ask the Postmaster-General whether he is aware that a letter posted in Carrickmacross, in the county of Monaghan, at 10.30 p.m. is not delivered in Belfast till 3.15 p.m. the following day; that up till a few months ago a letter posted at the hour mentioned would be delivered at 12 o'clock noon the next day; will he say why the arrangements for this speedier delivery have been discontinued; and whether he will consider the advisability, having regard to the increasing business requirements of the places referred to, of restoring the original arrangements or having some new and better ones made.

(*Answered by Mr. Sydney Buxton.*) I am making inquiry on this subject and will communicate the result to the hon. Member.

New Zealand Rating System.

SIR ALBERT SPICER (Hackney, Central): To ask the President of the Local Government Board whether his attention has been drawn to the Report of the New Zealand Commissioner of Taxes, as published by the Colonial Office in Cd. 3191, in which he states that in no case where the system of rating on the unimproved value has been carried out has the former system of rating been reverted to, and the ratepayers as a rule, with few exceptions, are decidedly in favour of the system, and the approval is strengthened as time goes on and the effect of it is seen; and whether he proposes to introduce legislation enabling local authorities to make a similar rating reform in this country.

(*Answered by Mr. John Burns.*) I have seen the report referred to. I am not at present in a position to make any promise to introduce legislation to the effect suggested.

Bombay Police Pay.

MR. RIDSDALE (Brighton): To ask the Secretary of State for India whether, as from 1st April, an increase of pay to certain grades of the Bombay police force was sanctioned by him; whether these additional payments have been made; and, if not, why they have been withheld.

(*Answered by Mr. Secretary Morley.*) The Answer to the first Question is in the affirmative. I understand that pay at the revised rates is now being issued by the Government of Bombay.

Indian Rupee Coinage.

SIR EDWARD SASSOON (Hythe): To ask the Secretary of State for India whether the Government of India is coining a rupee with the prerogative of unlimited legal tender, and is making a profit of 3d. each rupee; whether there were coined in 1900 over 170,000,000 of these coins at a profit very much greater than 3d. each; whether by similar means in Great Britain the Government has ever closed the English Mint to free coinage of sovereigns, and has exacted a seignorage of 4s. per each sovereign coined; whether in the history of currency in any country the money metal which constitutes the unlimited legal tender currency of the country has ever been subjected to an import tariff: whether silver, the metal of the legal tender currency of British India, is to-day subject to an *ad valorem* tariff in the ports of India; and whether a protective or revenue tariff on gold and silver bullion is the established policy of the present Government of India.

(*Answered by Mr. Secretary Morley.*) The replies to these questions are as follows:—(1) The rupee is unlimited legal tender in India; (2) The profit on the coinage of a rupee at the present price of silver is slightly in excess of 3d. (3) The number of rupees coined in 1900–1 (including the recoinage of old rupees) was approximately 173,000,000, and the profit on each rupee was considerably in excess of 3d. (4) This question should be addressed to the Chancellor of the Exchequer; (5) This question should be addressed to the President of the Board of Trade. (6) There is in India an Import duty on silver, as on many other articles, of 5 per cent. ad valorem. (7) The Indian Import duties are imposed for revenue, not for protective purposes.

Phœnix Park Playing Grounds.

MR. FIELD (Dublin, St. Patrick): To ask the Chief Secretary to the Lord Lieutenant of Ireland, whether he can explain why an equitable distribution of the playing-grounds on the Fifteen Acres, Phœnix Park, Dublin, is not made between Gaelic football and association football clubs, considering the fact that the former are more numerous than the latter; whether he can state why, out of the thirty-three grounds in the Fifteen Acres, only three are devoted to Gaelic games, while the remainder are devoted to association football; what reason can be given for this state of affairs, seeing that during the greater portion of the season the majority of grounds devoted to association football are never used, while on the remainder of those grounds only one match per ground per Sunday is played, while the Gaelic clubs are compelled, owing to the small number of grounds they possess, to play three matches on each ground per Sunday, which necessitates the players and officials of Gaelic clubs remaining in the park from 11 o'clock of a Sunday morning until 5 or 6 o'clock in the evening.

MR. FIELD: To ask the Chief Secretary to the Lord Lieutenant of Ireland, whether he will request the Commissioners of Public Works to make an equitable distribution of the present grounds on the Fifteen Acres, by devoting an equal number of the grounds between Gaelic and association clubs, and thus make the latter play two matches on each ground instead of one as at present; and whether, in view of the discontent that exists amongst Gaelic clubs and the general public in Dublin, owing to the manner in which the former are being treated in this matter, he will request the Commissioners of Public Works favourably to reconsider this whole question of grounds in the Fifteen Acres.

(*Answered by Mr. McKenna.*) The space assigned for games in the Phœnix Park cannot be extended, and the Commissioners of Public Works have every desire to allot it amongst the various games in such a way as will meet the reasonable requirements of each section. There are thirty-one grounds on the Fifteen Acres (not thirty-three as stated by the hon. Member) and three are allotted for Gaelic games in addition to another ground in another portion of the park. It should be remembered that the Gaelic game requires nearly twice as much ground as the association and accommodates thirty-four players as against twenty-two. The information which the Commissioners possess does not support the contention that the Gaelic clubs are more numerous than the association. They have reason to think that the reverse is true and the grounds allotted to the association game are fully utilised during the season. By a little organisation between the Gaelic clubs hours might easily be arranged for playing consecutive matches on the same ground on Sunday so as to avoid the inconvenience referred to by the hon. Member. The principal factor in determining the allocation of the space for the various games is the anxiety of the Board to provide on Sunday as many grounds as possible for those association clubs who are only able to play on that day, and who, but for the grounds in the park, would be prevented by lack of funds from playing at all. These clubs are much more numerous than the Gaelic clubs, and the latter are much better able to afford grounds. For Sunday next all the association grounds have already been allotted, and nearly fifty games are unprovided for. The decision as to the number of grounds allotted for association games on Sunday determines the allocation for Saturday, as, owing to the difference of size, the grounds for the two games are not interchangeable. Moreover, owing to the shortness of the time on Saturday afternoon, only one game can be played on each ground, but on Saturdays too, considerably more association clubs have to be disappointed than can be provided for, while the demand for Gaelic matches is small. The Commissioners inform me that they have under consideration whether, by a rearrangement of one or two grounds, an additional Gaelic ground on the Fifteen Acres can be provided, and if this is found possible the change will be carried out.

Royal Irish Constabulary Funds.

MR. COGAN (Wicklow, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will make arrangements with the Treasury to secure that whatever balance remains of the Royal Irish Constabulary Force Fund, when is it being wound up, will be placed to the credit of the Irish Development Grant Fund.

(*Answered by Mr. Bryce.*) I am afraid that the suggestion in the Question is impracticable. If the hon. Member will refer to Parliamentary Paper, No. 118, of Session 1891, he will see that, as the Constabulary Force Fund was then hopelessly insolvent, the Exchequer came to its aid with an advance of £150,000, and it was a condition of the advance that any surplus which might remain to the credit of the fund, after the discharge of the liabilities already incurred, should be returned to the Exchequer.

Royal Irish Constabulary, Distribution of the Force.

MR. McKILLOP, (Armagh, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it is contrary to any rules or custom of the constabulary authorities in Ireland to permit a member of the Royal Irish Constabulary being stationed in his native county; and, if so, will he state why a native of the county of Armagh, who is sergeant of constabulary, is in charge of the police station at Loughgall, county Armagh.

(*Answered by Mr. Bryce.*) The members of the Royal Irish Constabulary are not permitted to serve in their native county. The sergeant at present stationed at Loughgall, county Armagh, is a native of the county Tyrone.

Belmullet Petty Sessions Clerks.

MR. CONOR O'KELLY (Mayo, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will state how many days in the week the clerk of petty sessions in Belmullet, county Mayo, attends his office for the performance of his duties; the hours at which his office is opened and closed; and whether, in case there is no continuous daily attendance on the part of the clerk, he will take steps to order such attendance in the interest of public convenience.

(*Answered by Mr. Bryce.*) The Registrar of Petty Sessions Clerks informs me that the petty sessions clerk of Belmullet attends at his office from 11 a.m. to 3 p.m. on every Wednesday and Saturday, as well as on fair days. He is also in attendance on petty sessions days, namely, every alternate Monday. The registrar has received no complaints from the public in respect of the clerk's attendance, and he is of opinion that judging from the limited amount of sessions business transacted, the present hours of attendance are sufficient. In addition to the regular attendance it is the duty of the petty sessions clerk to attend to the public whenever they may come to his house on petty sessions business.

Roman Catholic Schools in Ireland.

MR. SLOAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state how many schools there are under Roman Catholic management with salary withdrawn over neglect to carry out repairs; how long are such schools suspended before finally struck off; whether salary will be paid in full, including back salary, when repairs are executed; whether schools during suspension are liable to annual inspection as other schools.

(*Answered by Mr. Bryce.*) The Commissioners of National Education inform me that within the last three years salary has been withdrawn, for the reason mentioned, from eight schools under Roman Catholic management. There is no fixed rule as to the length of time which must elapse before such schools are finally struck off. Each case is dealt with according to circumstances. When repairs have been executed, the question of restoration of salaries and of the amounts to be paid is considered by the Commissioners. Schools under suspension of grants are liable to inspection.

Labourers' Cottages at Moira.

MR. SLOAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that on 25th September, 1905, the Moira Rural Council held a local inquiry to consider the representations sent in for erection of labourers' cottages, that out of 108 applications, sixty-eight were rejected, and that ten of those rejected sent in representations to the Local Government Board within twenty-one days from time of rejection, but that no action has been taken; and will he say what steps, if any, does the Local Government Board intend taking in the matter.

(*Answered by Mr. Bryce.*) The Local Government Board are aware that representations alleging the necessity for 129 labourers' cottages were considered by the Moira Rural District Council on the date mentioned, and that sixty-eight were rejected for reasons assigned. Several of the labourers whose applications were rejected complained to the Local Government Board, but generally without adequate cause. The scheme in question was dealt with under the former Labourers Acts. The Local Government Board are now provided, under Section 9 of the new Act, with means which will enable them to secure the making of a suitable scheme in any cases in which a council may fail to deal effectively with the representations made to them.

Smith Estate, Cootehill.

MR. McKEAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if any, and, if so, what steps have been or are being taken towards the re-instatement of Andrew Beggan, a tenant evicted from his holding on the Smith estate at Cootehill, portion of which extends into the county of Monaghan; also whether he will say what the report of the inspector who visited Beggan on the 18th July, 1906, has been; and whether the Estates Commissioners purpose taking any action as a consequence of the report; and, if so, when they will take such action.

(*Answered by Mr. Bryce.*) The Estates Commissioners understand that Andrew Beggan is at present in occupation of the holding from which he was evicted. The holding has been inspected and valued, and the owner has intimated that he is prepared to accept the price placed on it by the Commissioners with the view of its sale to Beggan. The Commissioners are prepared to make a grant to assist the purchaser to live on and work the holding.

Army Quarter-Masters.

SIR CARNE RASCH (Essex, Chelmsford): To ask the Secretary of State for War whether, in view of the fact that the retired pay of Army quartermasters is dependent on length of service, not rank, and of the fact that the question of their pay was receiving consideration in May last, he can now say what decision he has arrived at in the matter.

(*Answered by Mr. Secretary Haldane.*) The conclusion I have come to is that I am unable at present to take any steps for increasing the retired pay of these officers.

Dockyard Accommodation Abroad.

MR. BELLAIRS: To ask the Prime Minister whether he is aware that considerably increased accommodation has been and is being made in our dockyards abroad, under various Works Bills, while the fleets relying on them have been largely reduced; whether, under these circumstances, the Government will utilise the docks and plant in dockyards abroad by contracting for the repairs of British merchant ships; and whether, in cases where the coal accommodation is in excess of peace requirements, they will prevent deterioration by undertaking to supply British merchant vessels at trade prices.

(*Answered by Mr. Edmund Robertson.*) The reply to the first part of the Question is in the affirmative, and to the second and third parts in the negative.

QUESTIONS IN THE HOUSE.

H.M.S. "Montagu."

MR. FELL (Great Yarmouth): I beg to ask the Secretary to the Admiralty whether the expenses connected with the salvage operations of the "Montagu" have been charged to the account for repairs and refitting, and how much those salvage operations have approximately cost; and whether the repairs of other ships will be delayed from this cause.

THE SECRETARY TO THE ADMIRALTY (Mr. EDMUND ROBERTSON, Dundee): The expenses have been brought to account under various heads according to the nature of the particular service; the principal item of the expense falls upon the sub-head which provides for such contingencies as well as for repairs of ships. The gross cost of the salvage operations is approximately £77,000, without taking into account the value of gear recovered. The answer to the last part of the Question is in the negative.

MR. J. WARD (Stoke-on-Trent): I would like to ask the right hon. Gentleman whether the new tenant of Lundy Island has made a claim for damages in respect of the operations that have already been carried out.

MR. EDMUND ROBERTSON: No such claim has been brought to my notice.

MR. JENKINS (Chatham) asked whether the £77,000 included the cost of the warships that attended the operations.

MR. EDMUND ROBERTSON: Yes, the aggregate of the whole cost is £77,000.

MR. FELL suggested that it would be better to keep the repairs account entirely distinct from the other expenses.

Foreign Navies.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.): To ask the Secretary to the Admiralty what was the number of battleships building in France and Germany, or sanctioned by the respective Parliaments of those countries, on 30th November, 1905, the date of the issue of the Cawdor Memorandum.

MR. EDMUND ROBERTSON: I am informed that on the date mentioned there were six battleships building in Germany, and eighteen more had been sanctioned by Fleet Bill to be laid down by 1917; and in France there were six battleships building and three more sanctioned.

The Channel Fleet.

MR. DOBSON (Plymouth): I beg to ask the Secretary to the Admiralty whether an order has been issued by the Admiral of the Channel Fleet that Christmas be spent on the Spanish coast; whether he is aware that this will be the second year in succession that the fleets have spent their Christmas away from home; whether this privation to the crews can be altered without detriment to the Navy; and whether, seeing that last year seven days leave was given before leaving, he will say if this year only four days are to be granted.

MR. EDMUND ROBERTSON: I have nothing to add to my printed reply to a similar Question from the hon. Member for Devonport, circulated with the Papers on Wednesday.†

The Portsmouth Disturbances.

MR. MACPHERSON (Preston): I beg to ask the Secretary to the Admiralty whether the lieutenant concerned in the recent alleged mutiny of stokers at the Royal Naval Barracks, Portsmouth, had been previously removed from another depot owing to the feeling caused amongst this class of men by his ordering them to go down on the knee.

I beg also to ask the Secretary to the Admiralty if he has any official reports, showing that on Thursday, 1st November, Lieutenant Collard, after putting a certain number of stokers in His Majesty's Navy through their drill, at the Royal Naval Barracks, Portsmouth, dismissed them with the exception of sections one and three; that these men were then ordered to go down on the knee and were kept there for about ten minutes; that these two sections were then marched into the centre of the parade ground and Lieutenant Collard addressing them said that in future if they did not do as they were told they would get more knee drill; and, if so, whether he proposes to take any action in the matter.

MR. EDMUND ROBERTSON: I can only refer the hon. Member to the answer which I gave on the 14th

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† See Col. 597–8.

November, to the hon. Member for the Kirkcaldy Burghs;† and I must appeal to the hon. Member not to press me to make any statement which must tend to prejudice the proceedings of the court martial.

"Serving Afloat."

MR. F. E. SMITH (Liverpool, Walton): I beg to ask the Secretary to the Admiralty whether he can now state whether the expression "serving afloat" used in the recent Admiralty Memorandum is to be understood in the ordinary sense of the word, as meaning men serving afloat in ships at sea or is intended to include men serving on ships at anchor in the naval ports and in the dockyard basins.

MR. EDMUND ROBERTSON: I have nothing to add to my answer to a similar Question asked by the hon. Member for Croydon on 7th November.‡

British Settlers in South Africa.

MR. LONSDALE (Armagh, Mid.): I beg to ask the Under-Secretary of State for the Colonies whether he will state the number of British settlers who have taken up land in the Transvaal and Orange River Colony under the Land Settlement Ordinances; and what percentage of these are ex-troopers who served with the British colours in the late war.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): In the Transvaal the number of settlers is 588, of whom 418 took part in the late war. In the Orange River Colony there are 627 British heads of families, 90 per cent. of whom served in the war.

Cotton Cultivation in Australia.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Under-Secretary of State for the Colonies if the Government have any information in reference to cotton growing experiments in Australia; and whether any encouragement will be given to such experiments, in view of the fact that the soil and climate in certain portions of Australia are suitable for cotton-growing.

MR. CHURCHILL: I have no definite information on this subject, but I understand that the Commonwealth Government are considering the question of offering facilities for the encouragement of cotton-growing in Australia.

British Indians at Vrederdorp.

SIR H. COTTON (Nottingham, E.) I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to Clauses 5, 8, and 9 of the Second Schedule of the Vrederdorp Stands Ordinance of 1906, under which the residence of British Indians, other than domestic servants, is prohibited within the area affected by the Ordinance; and whether, looking to the fact that the Ordinance does not come into effect until it has been assented to by the Crown, and that for several years past, both under the Boer Government and at present, British Indians have been allowed to occupy land within this area under grants given by the burghers of Vrederdorp, and are still residing within this area and have erected substantial structures thereon, the Secretary of State will advise His Majesty to disallow this Ordinance.

MR. CHURCHILL: My attention has been drawn to the provisions referred to. This land was originally granted to poor burghers—that is, to white men only, and on condition of personal occupation. The Ordinance, therefore, merely perpetuates the legal conditions which were in existence before annexation and in defiance of which certain Indians have, I understand, acquired some stands and erected tin shanties. I may add that it is very desirable to keep the white and coloured quarters apart, as the practice of allowing European, Asiatic, and native families to live side by side in mixed communities is fraught with many evils, and is, in Lord Selborne's opinion, injurious to the social wellbeing of all three. The whole question is, however, still under consideration.

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† See (4) *Debates*, clxiv., 1483–4.

‡ See (4) *Debates* clxiv, 521.

Chinese in British Columbia.

Mr. BOULTON (Huntingdonshire, Ramsey): I beg to ask the Under-Secretary of State for the Colonies if a celibate camp of 16,000 Chinese exists in British Columbia, or has existed since the country was a British Colony; and, if so, whether the Chinese in such camp are free to come and go like any ordinary inhabitant within the Empire, and if there are any restrictions upon the movements of the Chinese in Canada other than such as are imposed by the ordinary law upon all citizens; whether a poll tax of £100 is imposed upon every Chinaman entering Canada, and whether this has the effect of excluding the more undesirable class of Chinese from the country; whether, apart from the poll tax, there is any law in Canada under which Chinese are treated in a different way from the other inhabitants of the Dominion.

I beg further to ask the Under Secretary of State for the Colonies if the Royal Commission on Chinese Immigration into British Columbia reported unfavourably towards such immigration, and if the Report made any reference to the value of Chinese labour in the mines and other industries of the country, and the effect such labour would have upon the social condition of the people and the development of the industrial life of the province; and what steps, if any, have been taken by the Canadian Government to give effect to the recommendations in the Report.

Mr. CHURCHILL: According to the last census and other returns, there are about 16,000 Chinese in British Columbia. They do not live in a celibate camp, but are scattered over various parts of the province. I am not aware that they are subject to any special restrictions in Canada, but there is a capitation tax on every Chinese immigrant, which was, in 1903, raised from 100 to 500 dollars, in accordance with the recommendation of the Royal Commission referred to by the hon. Member, but I have no definite information as to the effect of this increase in the capitation tax. The Report of the Committee, which very fully discussed the social and economic effects of Chinese immigration, recommended the total prohibition of further immigration if practicable, and that in the meantime the capitation tax should be raised to 500 dollars.

Orange River Colony and the War Debt.

Mr. BRIDGEMAN (Shropshire, Oswestry): I beg to ask the Under-Secretary of State for the Colonies if Ordinance 36 of 1903 renders the Orange River Colony liable to pay £5,000,000 towards our war debt; and, if so, whether this obligation will stand part of the proposed constitution for the Orange River Colony.

Mr. CHURCHILL: The Answer to the first Question is in the affirmative. His Majesty's Government are not prepared to disclose piecemeal their policy in regard to the Orange River Colony Constitution, shortly to be announced to Parliament.

Repatriation of Chinese Coolies.

Mr. FULLERTON (Cumberland, Egremont): I beg to ask the Under-Secretary of State for the Colonies whether immediate action will be taken to repatriate Chinese coolies employed in all mines where, according to Mr. Bucknill's Report, unnatural vice has prevailed.

Mr. CHURCHILL: I have nothing to add to the statements of Government policy made to both Houses of Parliament last week, except that that policy is being energetically pursued.

Lord Selborne.

Mr. FULLERTON: I beg to ask the Under-Secretary of State for the Colonies whether it is intended to recall Lord Selborne from South Africa in consequence of his failing to keep the Government informed as to the social and moral condition of the coolies employed in the Chinese compounds.

Mr. CHURCHILL: No, Sir. Lord Selborne has in no way failed in his duty and, as already stated by the Secretary of State, there is no divergence in the standard of duty between His Majesty's Government and the High Commissioner, *i.e.*, to stamp out the evil whenever and wherever it is found.

The Fereira Raid.

MR. SWIFT MACNEILL (Donegal, S.): I beg to ask the Under-Secretary of State for the Colonies whether Lord Elgin will make representations to the Cape Government, similar to the representations made by the right hon. Member for West Birmingham, when Colonial Secretary, to the Government of the South African Republic after the Jameson Raid of 1895, urging that clemency should be extended to Fereira after participating in the raid on the Cape Colony of which he was a leader; and whether Lord Elgin will instruct Lord Selborne to use his best offices with the Prime Minister of Cape Colony to secure an amnesty to these offenders.

MR. CHURCHILL: No, sir.

MR. SWIFT MACNEILL; Why not? Why should such an Answer be given, having regard to what occurred in connection with the Jameson Raid?

MR. CHURCHILL: The hon. Member asked me as to a question of fact, and I answered him. If he wants the reasoning on which the decision was arrived at, perhaps he will give notice of another Question?

MR. SWIFT MACNEILL: I will, and I hope the hon. Gentleman will be more expansive next time.

MR. SWIFT MACNEILL: I beg to ask the Under-Secretary of State for the Colonies whether Lord Elgin will consider the propriety of representing to the Cape Government the advisability of appointing a committee of inquiry into the circumstances of the recent raid in Cape Colony, with power to enter into a searching investigation of the causes which led to the raid, and to report whether the raiders were solely responsible for that deplorable incident or were the agents of others.

MR. CHURCHILL: The Secretary of State sees no ground for making any such suggestion to the Cape Government.

MR. SWIFT MACNEILL: Did not the hon. Gentleman hear the statement in this House that this raid was organised for the purpose of distracting attention from the Chinese labour question.

MR. CHURCHILL: I have heard such statements, but the hon. Member is too shrewd to attach any importance to them.

MR. SWIFT MACNEILL: Oh, I'm a simple-minded man!

British Indian at Volksrust.

*MR. REES (Montgomery Boroughs): I beg to ask the Under-Secretary of State for the Colonies whether he has seen the Report of an appeal, heard this month, by the Supreme Court of the Transvaal, in the matter of Rex *v* Mahomed Hafeejee Moosa, wherein a British Indian lad, under eleven years of age, living with his father, was arrested and charged before the magistrate at Volksrust, found guilty, sentenced to pay a fine of £50 or to undergo imprisonment for a period of three months, and to leave the Transvaal after the completion of his term of imprisonment or payment of fine as the case might be; whether he is aware that the Supreme Court has quashed the conviction, and made certain comments upon the administration of the Peace Preservation Ordinance regarding the British Indians; and whether the Colonial Office proposes to take action upon the said judgment.

MR. CHURCHILL: The case in question came before the Supreme Court on appeal from the assistant resident magistrate at Volksrust. The Government did not oppose the appeal, and had remitted the sentence before the appeal was heard. The comments of the chief justice appear to have applied to the action of the assistant resident magistrate and that action was practically repudiated by the Transvaal Government. No action on the part of the Secretary of State appears to be necessary.

Tilonko's Appeal.

MR. SWIFT MACNEILL: I beg to ask the Prime Minister whether the attention of the Government has been directed to a recent judgment of the Judicial Committee of the Privy Council, refusing an appeal to the Natal chief, Tilonko, from a court-martial trial in Natal, upon the ground that the Natal Legislature had passed an Act of Indemnity validating the sentences of all illegal courts set up by the Governor of Natal and the Commandant of Militia under martial law; whether he is aware that the Indemnity Act passed the Legislative Assembly of Natal on the 7th July last and the Legislative Council on the 12th July last, that the trial of Tilonko did not take place until the 30th July last, and that, before the sentence of ten years imprisonment with hard labour and a fine of 500 head of cattle was imposed, the Parliament of Natal had been dissolved; whether, having regard to the fact that the proceedings of the trial by court-martial were rendered by anticipation valid by an Indemnity Act previously passed, His Majesty's Government will lay upon the Table the correspondence that took place between the Governor and the Secretary of State for the Colonies relative to the Royal Assent to the Indemnity Act and its promulgation in the *Natal Government Gazette* on the 2nd October last, the petitions, if any, presented to His Majesty in Council praying the disallowance of the Act, and a reference to the Judicial Committee for hearing or consideration of the matters referred to in the petitions, and a statement of the advice of the Secretary of State to the Crown in dealing with the petitions; and will the Government advise the Crown, under the provisions of Section 7 of the Natal Constitution Act, 1893, and Section 4 of the Imperial Statute 3 and 4 Will. 4, c. 41, to refer the petitions in question to the Judicial Committee for inquiry and advice.

Mr. CHURCHILL: It is not proposed to lay the petitions in question. The correspondence between the Governor and the Secretary of State will be published in a further Blue-book on Natal affairs, which will be laid immediately. The Secretary of State cannot properly advise the King to refer the petitions in question to his Council in view of the fact, first, that their object appears to be to obtain by indirect means a rehearing of a matter which has already been judicially decided, and secondly the consideration by the Judicial Committee of a point on which the Secretary of State has already advised His Majesty.

Mr. SWIFT MACNEILL: Having regard to the unusual circumstances, will the Secretary of State consider the propriety of allowing the whole matter to be referred to the Judicial Committee of the Privy Council?

Mr. CHURCHILL: I have already answered the Question. I am sorry the hon. Member is not satisfied.

Explosives in the Suez Canal.

Dr. RUTHERFORD (Middlesex): I beg to ask the Secretary of State for Foreign Affairs whether he is aware that up to the time of the foundering in the Suez Canal of the s.s. "Chatham," laden with dynamite, no regulations whatever existed for ensuring precautions in cases of ships passing through the canal carrying explosives; whether any regulations with that object have since been put in force; and, if so, whether he will ay upon the Table of the House a copy of such regulations.

The SECRETARY of STATE for FOREIGN AFFAIRS (Sir Edward Grey, Northumberland, Berwick): His Majesty's Government are, of course, not responsible for the regulations of the Suez Canal Company. I am informed that steamers carrying explosives are not prohibited from passing through the Suez Canal, but that the Company reserves the right to take such precautions as are usual in all ports. The authorities take no action unless their attention is drawn to a particular ship as having explosives in her cargo. Such vessels may be berthed at special points and when under transit must fly a special signal both by day and by night, similar to that shown by petroleum tank steamers. It is obvious that it is to the interest of the Company to take every precaution against danger to life and property from any source during the navigation of the canal, and the officials have full powers to give directions with this object.

The United States and the Congo.

*Sir CHARLES DILKE (Gloucestershire, Forest of Dean): I beg to ask the

Secretary of State for Foreign Affairs whether His Majesty's Government have been made aware that the United States Government are prepared and are anxious to co-operate in action against the abuses of Congo misgovernment, and to be represented in any conference which may be called upon the subject.

SIR EDWARD GREY: No such communication has hitherto reached His Majesty's Government from the Government of the United States.

Uruguayan Fisheries.

MR. MITCHELL-THOMSON: I beg to ask the Secretary of State for Foreign Affairs whether His Majesty's Government have received any representations from the Canadian Government on behalf of the captain and crew of the "Gertrude," which is detained at Monte Video on a charge of illegal sealing; whether the captain and crew are imprisoned there; whether he is aware that in the case of the "Agnes" the captain and crew were detained in prison for some weeks and finally released on the ground that there was no law prohibiting fishing in Uruguayan waters; whether any such law has since been passed; and, if not, whether he will instruct His Britannic Majesty's representative in Uruguay to use every effort to secure the immediate release of the captain and crew of the "Gertrude."

SIR EDWARD GREY: His Majesty's Government have received information that four British subjects, sealers of the Canadian schooner "Alice Gertrude," have been arested by the Uruguayan authorities at Rocha on a charge of illicit sealing, and we are in communication with the Canadian Government in regard to the matter. It is true that, in the case of the "Agnes G. Donahoe," the master and crew were detained in prison for some weeks and finally released, but it was on the expiration of their sentence, and not on the ground that there was no law prohibiting fishing in Uruguayan waters. There was not at that time, nor is there, so far as His Majesty's Government are aware, any such law in Uruguay. His Majesty's Minister at Monte Video, who is watching the case carefully, has just reported that the Judge has decided on purely technical grounds that he had no jurisdiction, and that the prisoners should be sent back for trial to Rocha. Every endeavour will be made to secure that they are properly defended.

Ministry of Education in Egypt.

MR. J. M. ROBERTSON (Northumberland, Tyneside): I beg to ask the Secretary of State for Foreign Affairs whether he will obtain information for the House as to the circumstances in which Yakoub Artin Pasha has retired from the post of Under-Secretary of State for Education in the Egyptian Government, and the newly created office of Secretary of State for Education has been assigned to one of the Judges in the Native Court of Appeal; whether Artin Pasha had been promised advancement to the new post on its creation, in consideration of his great and repeatedly recognised services in promoting educational reforms; and whether the official appointed is without any experience in the work of the Department.

SIR EDWARD GREY: It is regretted that Yakoub Artin Pasha has considered it necessary to resign. But I cannot admit that he has any grievance against the Egyptian Government. The appointment of Zagloul Bey as Minister of Public Instruction has been received with great pleasure and approval by all classes of Egyptian society. There is apparently every prospect that it will inspire confidence in the conduct of this Department in Egypt, and his personal qualifications for the post are not unlike those which have more than once proved eminently satisfactory in the case of Ministers of Education in this country, who have seldom, if ever, been trained in the Department.

The Denshawi Trials.

MR. DILLON (Mayo, E.): I beg to ask the Secretary of State for Foreign Affairs why a full Report of the evidence at the trial of the Denshawi prisoners and of everything that took place in connection with that trial has not been supplied to the House in accordance with the promise given by him on the 5th July last.

SIR EDWARD GREY: The Report of the evidence at the trial is not official, but only a summary which was not read over to the witnesses or controlled by the Court. It is substantially the same as the Report of the evidence at the preliminary inquiry, which has been presented to Parliament, except in some unimportant details. It was not considered necessary to publish both accounts, and as the account of the evidence given at the preliminary inquiry was regarded as the more accurate of the two, it was decided that it should be published.

MR. DILLON inquired if the Report did not show that the defence was not represented and that there was no cross-examination of any of the witnesses. This was not the Report that was promised.

SIR EDWARD GREY: The Reports did not differ except in unimportant points.

MR. DILLON: Can we have a copy of the evidence?

SIR EDWARD GREY: I am quite willing to place a copy of the evidence in the Library.

Macedonia.

MR. DILLON: I beg to ask the Secretary of State for Foreign Affairs whether the attention of His Majesty's Government has been directed to the fact that the condition of Macedonia is as bad as, if not worse than, it was four years ago, before the intervention of the European Powers; whether, as a matter of fact, the situation in that country is going from bad to worse; and whether His Majesty's Government can hold out any hope of effective means being taken to provide a remedy.

MR. WEDGWOOD (Newcastle-under-Lyne): At the same time, may I ask the Secretary of State for Foreign Affairs whether His Majesty's Government are now prepared, in view of the number of deaths by violence recorded by the British Consuls in Macedonia, to make a new effort, either by enlarging the powers of the Financial Commission or in other ways, to secure the reforms which are essential to the prevention of bloodshed.

SIR EDWARD GREY: I cannot admit that the reforms have done no good. But the condition of Macedonia is occupying the anxious consideration of His Majesty's Government, and they are endeavouring, in consultation with the other Powers, to render the reforms more effective.

MR. LYNCH (Yorkshire, W.R., Ripon) asked the right hon. Gentleman whether his attention had been called to the fact that the number of violent deaths in Macedonia had increased from 100 per month in 1905 to 150 per month in 1906; further, if his attention had been called to the fact that a number of violent deaths were credibly reported to have been due to Turkish troops, which Turkish troops it was proposed, with the consent of His Majesty's Government, to pay out of increased Customs duties to be levied on British trade.

SIR EDWARD GREY: I am afraid I must ask for notice of that Question; it would require a speech to answer it.

Egypt.

MR. DILLON: I beg to ask the Secretary of State for Foreign Affairs whether his official information still shows that Egypt is in a dangerous and disturbed condition, and affected by a wave of fanaticism; and, if so, whether he will see that tourists proposing to spend the winter in that country are warned of the danger they may incur.

SIR EDWARD GREY: The situation in Egypt is not now giving rise to special anxiety, and there is no reason, and I trust will be none, to discourage people who wish to travel from doing so.

MR. DILLON asked whether the attention of the right hon. Gentleman had been drawn to the remarkable fact that fanaticism in Egypt disappeared when the tourist season commenced, and if that did not give him much food for reflection.

SIR EDWARD GREY: I cannot say that it gives me much food for reflection, but I do find in it matter for congratulation and satisfaction.

British Shipping Claims against Russia.

MR. CLAUDE HAY (Shoreditch, Hoxton): I beg to ask the Secretary of State for Foreign Affairs upon what date His Majesty's Government suggested arbitration at The Hague in respect of the "Knight Commander."

SIR EDWARD GREY: The proposal was made in a note which, in pursuance of instructions, His Majesty's Ambassador at St. Petersburg addressed to the Russian Government on the 19th of September last.

MR. CLAUDE HAY: I beg to ask the Secretary of State for Foreign Affairs if any claims of British shipowners, in respect of ships sunk, damaged or delayed by the Russian fleet or volunteer crusiers during the recent Russo-Japanese war, are still outstanding; and if he will give the names of the ships involved.

MR. CLEMENT EDWARDS (Denbigh District): At the same time I will ask the Secretary of State for Foreign Affairs whether he is now in a position to make any statement as to the present state of negotiations with the Russian Government in reference to the matter of compensation to the owners of British ships sunk by Russian ships of war during the Russo-Japanese war.

SIR EDWARD GREY: I beg to refer the hon. Members to the Answer I gave on 17th May last, to the hon. Member for King's Lynn, in which I enumerated the cases which were then pending.† Since that date, in consequence of the Russian Government's having refused to reconsider the claim advanced on behalf of those concerned in the destruction of the "Knight Commander," His Majesty's Government have proposed, as the hon. Member is aware, that the case should be referred to arbitration at The Hague. As regards the "Allanton," the Russian Government have also again refused to entertain the claim advanced for compensation in respect of the seizure and detention of that vessel, and after careful consideration with their legal advisers, His Majesty's Government have decided that there are insufficient grounds for further pressing the claim, and the parties concerned have accordingly been so informed. In the case of the "Cilurnum," the Prize Court at Libau on 22nd August last, decided that the jettisoning of some cargo she carried was in order, in consequence of its contraband character. The parties interested did not, however, enter an appearance at these proceedings, and have intimated that they do not desire to take any steps with a view to appealing against this decision. The remaining cases which I specified in May are either still forming the subject of correspondence between the two Governments, or are shortly expected to come before the Libau Prize Court.

British Subjects in Tangier.

MR. ASHLEY (Lancashire, Blackpool): I beg to ask the Secretary of State for Foreign affairs whether British subjects have acquired land in the town of Tangier or within a radius of ten kilometres of it since the signing of the Algeciras Convention; whether he has any official information to show that purchase of property in that district has lately become impossible owing to quarrels between local officials; and, if so, what steps he proposes to take in the matter.

SIR EDWARD GREY: The situation as regards the acquisition of land in Morocco is not, so far, affected by the Algeciras Act, which does not come into operation until after its ratification by all the signatory Powers. His Majesty's Government have received no recent reports or complaints either from his Majesty's Legation or from any British subjects in Morocco in regard to difficulties in the way of the acquisition of land in the town and district of Tangier, and they do not propose to take any steps in the matter.

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† See (4) *Debates*, clvii., 643.

Hayti.

Mr. GLENDINNING (Antrim, N.): I beg to ask the Secretary of State for Foreign Affairs if a treaty has recently been been concluded between Great Britain and the Republic of Hayti by virtue of which all children born in Hayti of British parents are to be considered as Haytian subjects, and thus liable to arrest, imprisonment, and death for a political offence, real or supposed, at the hands of the Haytian Governments; if he is aware that such children, if white, cannot hold real property or be appointed to any government post, and, if a male, is liable to be called out for military service; and if he is aware that France absolutely refused to conclude a treaty with Hayti on the same lines.

Sir EDWARD GREY: His Majesty's Government concluded a Convention with the Haytian Government on 6th April last, regulating the national *status* of British subjects and Haytian citizens in the territories of either country. If the facts be as stated by the hon. Member, a certain hardship would, in the case of persons of British origin born in Hayti, appear to exist. His Majesty's Consul-General at Port-au-Prince has, therefore, been instructed to furnish a Report on the subject; upon the receipt of which the question of what, if any, action can be taken by His Majesty's Government in the matter will be considered. I have no information as to the statement contained in the last paragraph of the Question.

Somaliland.

Mr. LONSDALE: I beg to ask the Secretary of State for Foreign Affairs whether an agreement has been concluded with France and Italy with reference to the importation of arms and ammunition into Somaliland, and whether he can communicate the terms of any such understanding to the House.

Sir EDWARD GREY: No agreement has been concluded.

Newfoundland Modus Vivendi.

Mr. LONSDALE: I beg to ask the Secretary of State for Foreign Affairs whether the enforcement of the provisions of the Bait Act by the Newfoundland Government against Colonial fishermen who enlist on American vessels involves a breach of the *modus vivendi* concluded with the American Government; whether the American Government have yet made any representations on the subject; and what steps His Majesty's Government propose to take in reference to the matter.

Sir EDWARD GREY: I am not prepared to say, on the information received, whether what has occurred is technically a breach of the *modus vivendi*, but its practical working has not hitherto been interfered with. The United States Government have made friendly representations in the matter, which is under consideration.

Mr. LYTTELTON (St. George's, Hanover Square): Is the right hon. Baronet aware that the Under-Secretary for the Colonies promised Papers on this matter at the beginning of last week. Can he say what is the reason for this prolonged delay?

Sir EDWARD GREY: I will inquire. I have not yet seen the Papers in proof. I understand that they are at the Colonial Office. I will have them issued as soon as possible.

Robinson Mines—Recruiting Kaffirs.

Mr. MACKARNESS (Berkshire, Newbury): To ask the Secretary of State for Foreign Affairs whether the delay on the part of the Portuguese Government in granting facilities to the Robinson Group of Mines for recruiting Kaffirs in Portuguese territory is caused by the opposition of the mine owners belonging to the Witwatersrand Native Labour Association; and, if so, what steps have been taken by His Majesty's Government to remove that opposition, and with what results.

Sir EDWARD GREY: I have represented strongly to the Portuguese Government the importance which we attach to this matter, but no satisfactory settlement of the point has yet been reached. The Portuguese Government state that it would be a breach of the arrangement made by their Governor with the Witwatersrand Association.

Egyptian Reforms.

MR. ALDEN (Middlesex, Tottenham) I beg to ask the Secretary of State for Foreign Affairs whether he is now in a position to make any statement relative to the various Egyptian reforms promised in Lord Cromer's last Diplomatic Report.

SIR EDWARD GREY: The progress which has been made in the various reforms in Egypt will no doubt be dealt with by Lord Cromer in his next annual Report, which will be laid before the House in due course. I have no statement to make at the present moment.

SIR GILBERT PARKER (Gravesend) At what period of the year is the Report usually laid?

SIR EDWARD GREY: I cannot say, but if the hon. Member will look at the last Report that will afford some guide.

Concessions in the Congo Free State.

MR. ALDEN: I beg to ask the Secretary of State for Foreign Affairs whether he has any official information showing that concessions in the Congo Free State have recently been made to three American firms; and, if so, whether he is in a position to give any further information on the subject.

SIR EDWARD GREY: His Majesty Government have received no official information on the subject, though statements to that effect have been made in the Press.

Case of Frederick Rushton.

MR. J. WARD: I beg to ask the Secretary of State for the Home Department whether his attention has been called to the case of Frederick Rushton, who, at the Staffordshire December assizes, 1902, was convicted of manslaughter and sentenced to ten years penal servitude; whether the prisoner has complained that his brother, who was a material witness, was persuaded to absent himself from the trial; and whether, having regard to other circumstances and also the conduct of the prisoner since conviction, he will take into consideration the sentence with a view to an immediate release of this prisoner.

THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): This man was convicted in December 1901, not 1902. He has sent four petitions to the Home Office but in none has he spoken of any evidence that any brother of his could give. In the last petition, however, he spoke of a certain Nellie Rushton, who, he said, should have been called at the trial. The crime was a very grave one, and I regret that I can see no reason for interfering with the sentence. If, however, the prisoner's conduct in prison has been good, he will be entitled to a considerable remission under the prison rules.

Case of William Maughan.

MR. J. WARD: I beg to ask the Secretary of State for the Home Department whether he has made inquiries into the committal, at Gateshead, of William Maughan, aged six, to an industrial or penal school for ten years; whether he can give the number of such similar committals of infants under six years of age throughout the kingdom last year, and say whether, in the case of William Maughan, it was a first offence, and if not, how many previous convictions had been recorded against him, and what was the nature of his offences; and whether the father is bound to pay 1s. 6d. per week for such detention; and, if so, whether, in view of the present wages of the father and the number of his family, he proposes to take any action in the matter.

MR. GLADSTONE: I have made inquiry into the case referred to. The number of children under six years of age committed to industrial schools in 1905 was seventy-five. Industrial schools are in no sense penal schools, and the boy Maughan was not convicted but committed to be brought up in the school because he was found begging in the streets and his home surroundings were of a very unsatisfactory nature. He had not been previously committed or convicted. The father was ordered to pay 1s. 6d. a week while the boy is in the school; he has the right to apply to the magistrates to reduce this sum if he desires to to do; and I cannot take any steps in the matter. The course adopted by the Court in committing the boy to the school was, I consider, in the boy's best interests, but I shall have periodical reports made to me upon the case.

Mr. J. WARD: Arising out of that Answer, I would like to know whether the right hon. Gentleman is aware that at this Police Court in Gateshead during last year, although there were only seventy cases in the whole country since May last, parents have been proceeded against for arrears under similar orders where children have been kidnapped and have suffered imprisonment amounting in the aggregate to forty-five and a half months in one year.

Mr. GLADSTONE: I will consider the facts which the hon. Member has given me, but if he wishes to put a fresh Question perhaps he will give me notice.

Mr. J. WARD: I wish to ask whether during his investigation of this case the right hon. Gentleman has not become painfully aware that this appears to be a regular practice of this Court and probably there are more convictions of this description——

*Mr. SPEAKER: Order, Order! The hon. Member ought to put that on Paper.

Mr. BOWLES (Lambeth, Norwood): Is it a fact that parents can be and are sent to prison for failure to pay these fines running week by week, and may I ask whether the right hon. Gentleman is aware that at this particular Court parents were sent to prison at the rate of one per week in the last year.

Mr. GLADSTONE: I am not aware of that particular practice at this Court. As to the general question of the hon. Member, that raises a question affecting industrial schools generally, and I cannot deal with it in the form of an Answer to a Question.

Lord ROBERT CECIL (Marylebone, E.): The right hon. Gentleman has not said whether they can be and are sent to prison for not paying these arrears.

Mr. GLADSTONE: I believe that is so.

Mr. J. WARD: I wish to ask whether it is possible for magistrates to send a boy —a baby of six years of age—to a reformatory for ten years with no convction whatever against him.

Mr. GLADSTONE: That is a question arising under the Act. I am not prepared to say that the Act in every respect is perfect. It is true that this boy had committed no offence, but I take it that the action of the Court was in the direct interest of the boy, because his whole surroundings were distinctly unsatisfactory and he had been sent out by his father to beg in the streets.

Mr. BOWLES: What was the charge against this unfortunate parent on which he was deprived of his child for ten years?

Mr. GLADSTONE: I have not the terms of the charge in my mind. I think there is a misapprehension in the minds of some Members. This case was an industrial case and not a reformatory case.

Cardiff Assistant Inspector of Mines.

Mr. BRACE (Glamorganshire, S.): I beg to ask the Secretary of State for the Home Department if Mr. John Masterton, Longrigg schoolhouse, Scotland has been appointed as an assistant inspector of mines for the Cardiff district; and, if so, does Mr. Masterton speak the Welsh language, as a majority of miners employed within the area of the Cardiff district are Welsh speaking miners.

Colonel HERBERT (Monmouthshire, S.): I beg to ask the Secretary of State for the Home Department whether Mr. John Masterton, of Longriggend, Scotland, who has been appointed assistant inspector of mines for the Cardiff district of South Wales, has any knowledge of the Welsh language; whether he has any practical experience of coal mining in the South Wales coalfield; whether he will state the number of candidates for the appointment who possess both the above qualifications; and whether, having regard to the fact that Welsh is the only language spoken by a considerable number of the miners in the Cardiff district, he will reconsider his decision in regard to this appointment.

MR. GLADSTONE: The gentleman named in the Questions was first in the recent competitive examination for two vacancies in the inspectorate, but, as I have already informed my hon. friend the Member for Rhondda, the question who is to be assigned to fill the vacancy in the Cardiff district is still under my consideration. In any case he will be a Welsh-speaking inspector.

Collapse of Houses at Marylebone,

MR. STRAUS (Tower Hamlets, Mile End): I beg to ask the Home Secretary if he is aware of the fact that two houses in Molyneux Street, Marylebone, collapsed at 2 o'clock this morning, and that a woman was sleeping on the premises at the time of the accident; are the police taking any steps to rescue her dead or alive, and is the right hon. Gentleman aware that at 11 o'clock no effort had, apparently, been made to do so; also can the right hon. Gentleman say how the catastrophe occurred.

MR. GLADSTONE: I regret to say that it is the case that two houses have collapsed in Molyneux Street. The necessary steps are being taken to recover the body of the woman supposed to be buried there.

Burial Boards.

MR. ROWLANDS (Kent, Dartford): I beg to ask the Prime Minister whether his attention has been called to the decisions of the Courts in Wilson *v.* Wallasey Urban District Council, and Godden *v.* Hythe Burial Board respectively; and, if so, will the Government promote legislation at an early date to relieve the burial authorities of the country from the position in which they are placed by the above decisions.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): The Prime Minister has asked me to reply to this Question. As I stated on Monday last, in reply to my hon. friend the Member for the Tunbridge Division, this matter is receiving my attention.† I hope to be able to announce a decision with regard to it in a few days.

MR. ROWLANDS asked whether, if it was necessary, the right hon. Gentleman would consider the introduction of legislation.

MR. JOHN BURNS: It cannot be done without legislation, and I am at present engaged in considering the actual form which that legislation should take.

MR. MARNHAM (Surrey, Chertsey): May I ask if it is not the fact that the result of this decision is to render useless a considerable portion of a large number of cemeteries, causing great loss to the ratepayers?

MR. JOHN BURNS: The statement made by the hon. Member is perfectly correct, and that is the reason why I have given the subject immediate attention.

VISCOUNT TURNOUR (Sussex, Horsham): Will it be possible to introduce legislation this session, in view of the urgency of the matter?

MR. JOHN BURNS: If I could receive a universal assurance of support, I would do it to-morrow night.

Kirkby Stephen Medical Officer.

MR. WARDLE (Stockport): I beg to ask the President of the Local Government Board if his attention has been called to the action of the medical officer of health at Kirkby Stephen, who during July or August of this year sentenced a refractory pauper to one month's imprisonment, in his capacity as a county magistrate; and whether he proposes to take any action in the matter in view of the dual position held by this medical officer of health.

MR. JOHN BURNS: I have no information as to this particular case, but I may say generally that, as a Medical Officer of Health is an officer of the county or district council and not of the board of guardians, it does not at present appear to me that there is any objection to his acting as a county magistrate in a case of the kind referred to in the Question.

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† See Col. 405.

Deaths from Cancer.

MR. STRAUS: I beg to ask the Secretary of State for the Home Department whether he can arrange that in future, when the Registrar-General issues his Report upon deaths and their causes, he will issue statistics showing the geographical distribution of deaths from cancer in the United Kingdom and in London, in order to assist in the discovery of the cause of this disease.

MR. JOHN BURNS; My hon. friend will perhaps allow me to answer this Question. I think that so far as England and Wales are concerned, he will find the information he desires in the Reports of the Registrar-General at the present time. I would draw his attention to the Tables on pages 234 to 270 of the last of these Reports.

Vaccination.

*MR. LUPTON (Lincolnshire, Sleaford): I beg to ask the President of the Local Government Board if his attention has been called to the letter of Dr. John Tatham, published in the 67th Annual Report of the Registrar-General, in which Dr. Tatham repeats his request, often made before, that in the case of persons dying of smallpox there shall be a precise statement of the vaccinal condition of each person; and if, with a view to facilitating the granting of this request, he will in the case of each person dying of smallpox, cause the vaccination registers to be searched in order to assist in ascertaining the vaccinal condition of the deceased person.

MR. JOHN BURNS: I have seen the passage in the Report of the Registrar-General referred to. In reply to a Question by my hon. friend on 14th June,† I pointed out the objections to a proposal that the vaccination registers should be examined in all cases of smallpox to ascertain the vaccinal conditions of the patients. Similar objections would apply to the present proposal, and I am afraid it must be regarded as impracticable.

*MR. LUPTON: In view of the importance of accurate statistics, and until they are obtained, will the right hon. Gentleman stop selling this poisonous stuff?

[No Answer was returned.]

The Poplar Inquiry.

VISCOUNT CASTLEREAGH (Maidstone): I beg to ask the President of the Local Government Board whether his attention has been called to the evidence in the Report of the Chief Inspector of the Local Government Board on the Poplar Union, that during the course of Jacob's evidence, the sections in the Public Bodies Corrupt Practices Act, 1889, referring to prosecution of persons engaged in the giving or taking of bribes were read, and it was demanded that Jacob's evidence should be communicated to the Attorney-General, with a view to the prosecution of the witness, that it was suggested that this was done to intimidate other contractors from giving evidence, and that subsequently to this, another contractor asked before giving evidence that he might be protected; and whether, with a view to secure the satisfactory elucidation of all the facts at such inquiries he is prepared to introduce a short Bill to provide that evidence taken at the Local Government Board inquiries shall be on oath, and that a witness who answers truly all questions which he is required to answer shall be entitled to a certificate of indemnity.

MR. JOHN BURNS: I am aware of the portion of the Report to which the noble Lord refers. Inspectors of the Local Government Board are empowered now to take evidence on oath at their inquiries, and this course was adopted at the inquiry at Poplar. I will take note of the suggestion that power should be conferred on them to give certificates of indemnity, but I do not know that any substantial inconvenience has arisen from the fact that they do not now possess this power.

VISCOUNT CASTLEREAGH: Is the right hon. Gentleman aware that there is a provision of this kind with regard to inquiries held under election petitions?

MR. JOHN BURNS: Yes; but I do not think the two cases are parallel.

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† See (4) *Debates*, clviii., 1141.

MR. MACVEAGH (Down, S.): Will the right hon. Gentleman send to the guardians at Poplar a copy of the evidence with regard to the giving and taking of bribes as disclosed at the trial of the Maidstone election petition against the noble Lord?

Meat Inspection in London.

*MR ALDEN: I beg to ask the President of the Local Government Board whether it would be possible by administrative changes to secure a uniform meat inspection for the whole of London; and, if not, whether he would be willing to introduce the necessary legislation with a view to this result.

MR. JOHN BURNS: Probably legislation would be necessary to secure a complete system of uniform inspection. The matter is not being lost sight of, but it does not appear to be ripe for legislation at present.

*MR. ALDEN: While we are waiting for legislation will the right hon. Gentleman issue a circular on the lines of the tuberculous meat circular issued in 1891 to all sanitary authorities?

MR. JOHN BURNS: I am prepared to consider that suggestion, but meanwhile I should like my Public Health Regulations Bill to be passed before this session is over.

Telegraph Messengers and Evening Schools.

MR. WARDLE: I beg to ask the Postmaster-General if his Department encourage the telegraph messenger boys to attend evening schools at the expense of their parents; and whether he will consider the advisability of the Department contributing a portion or the whole of the fees, as is sometimes done in the police force.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): Telegraph messengers are encouraged to obtain such educational knowledge as may qualify them for superior appointments. As far as possible this knowledge is imparted at Post Office institutes, which are maintained for the sole benefit of the boys, and which provide for their intelligent amusement, as well as for their instruction, the expenses being defrayed partly by a Treasury grant, and partly by small subscriptions from the boys, while much voluntary service is given by members of the staff. The work of these institutes is highly beneficial to the messengers, and the possibility of extending their number is steadily kept in view. At present they exist at about thirty provincial towns, as well as in London.

South Wexford Postal Arrangements.

MR. FFRENCH (Wexford, S.): I beg to ask the Postmaster General whether his attention has been called to complaints of the New Ross District Council, the magistrates assembled at petty sessions in Duncormack and in Killinick, as well as several country gentlemen, as to the inadequacy of the postal system in South Wexford; whether he is aware that a Dublin newspaper is not delivered until it is a day old, and a London evening newspaper until it is three days old; and whether, in view of the postal facilities offered by the new railway across South Wexford, he will order an inquiry into the South Wexford postal system with a view to giving a second delivery at Killinick, Bridgetown, Duncormack, Wellington Bridge, Carrig-in-Bannow, Ballycullane, Campill, and wherever it is possible to do so.

MR. SYDNEY BUXTON: I have called for a report on this subject, and I will communicate with the hon. Member after I have received it.

Coats' Cotton.

*MR. CHIOZZA MONEY (Paddington N.): I beg to ask the President of the Board of Trade whether he is aware that the Coats sewing cotton combine now sells only 130 yards of sewing cotton for the same price at which it used to sell 200 yards; that this alteration is not accounted for by increase in cost of production; and whether he can see his way, by legislation or otherwise, to protect the consumers of sewing cotton, who are mostly poor people.

THE PARLIAMENTARY SECRETARY TO THE BOARD OF TRADE (Mr. KEARLEY, Devonport): I have no official information as to the prices charged at various times by J. P. Coats, Ltd., for their products or the causes of any changes which may have taken place. My hon. friend has already been informed that the Board of Trade are fully alive to the importance of these matters, but are not at present prepared to propose legislation.

Wall Paper Combine.

*MR. CHIOZZA MONEY: I beg to ask the President of the Board of Trade if he is aware that the trust or combination known as the Wall Paper Manufacturers, Limited, which embraces nearly the whole of the wall paper manufacturers in the United Kingdom, has succeeded in arranging monopolistic agreements for a further period of eight years with the great majority of the wall paper dealers of the United Kingdom, with the result that they have a virtual monopoly which is practically untouched by the very small imports of wall papers; and whether he can see his way to take steps by legislation or otherwise to protect consumers from monopoly in this instance.

MR. KEARLEY: We have no official information as to the agreements mentioned in the Question.

*MR. CHIOZZA MONEY: Do the Board of Trade make it their business to inquire and keep records of these matters?

MR. KEARLEY: We do keep records of the information which comes to us. In this case the hon. Member has open to him the same sources of information as we have.

*MR. CHIOZZA MONEY: Will you grant a Select Committee to inquire into the matter?

MR. KEARLEY: That Question should be addressed to my right hon. friend.

Hours of Railway Servants.

MR. WARDLE: I beg to ask the President of the Board of Trade whether, in view of the Returns obtained by his Department showing the number of excessive hours worked by trainmen on railways, he is satisfied that the powers now possessed by the Board are effective for the permanent and total abolition of this evil.

MR. KEARLEY: The various Returns of hours of work which have been obtained under Section 4 of the Regulation of Railways Act, 1889, show a reduction in hours worked, but there is room for improvement, and the question how this can be best effected is receiving attention.

North Glamorgan Official Receiver.

MR. D. A. THOMAS (Merthyr Tydvil): I beg to ask the President of the Board of Trade whether he proposes to transfer the office of the official receiver for North Glamorgan from Merthyr to Pontypridd; and, if so, can he state on what ground.

MR. KEARLEY: On the appointment of a new official receiver to the North Glamorgan District, it is proposed to fix his office at Pontypridd, because it is considered that this town is the most convenient for a great majority of those who are concerned in the bankruptcies of the whole district. The three court towns which in future will comprise the official receiver's district are Pontypridd, Merthyr Tydvil, and Aberdare, and the average annual numbers of the cases administered in them for the last five years were, at Pontypridd forty-six, at Merthyr Tydvil twenty-nine, and at Aberdare nineteen. Pontypridd, standing at an important railway junction, is more convenient of access from most parts of the district than Merthyr Tydvil, and from the large trading centres of Bristol, Cardiff, and Newport, where many of the larger creditors in cases arising in these Courts carry on business.

MR. KEIR HARDIE (Merthyr Tydvil) Is Brecon to be removed from the district?

MR. KEARLEY: I will inquire.

MR. D. A. THOMAS: What is the name of the new official?

MR. KEARLEY: I cannot say.

MR. KEIR HARDIE: Is it the case that the removal of the office really depends upon whether or not a Merthyr solicitor is appointed.

MR. KEARLEY: I must ask for notice of that.

Hull Crossing Signalmen.

MR. HUDSON (Newcastle-on-Tyne): I beg to ask the President of the Board of Trade if his attention has been called to the long hours worked by the gate signalmen at the St. George's Road and Hawthorne Avenue Level Crossings, Hull, on the North Eastern Railway; if he is aware that these men commence duty at 9.45 a.m. on Sundays and remain on duty until 6 a.m. on Mondays, a period of twenty hours and fifteen minutes, and then do five turns of 12-hour shifts and one of thirteen hours on night duty, making a total of ninety-three hours and fifteen minutes for the week on the main passenger line; and what action he proposes to take in the matter.

MR. KEARLEY: I should be glad if the hon. Member would defer this Question for a week. The Board of Trade have not yet received the reply of the railway company with regard to this complaint.

Surveyors of Taxes.

MR. MYER (Lambeth, N.): I beg to ask the Secretary to the Treasury if his attention has been drawn to the answer given by Sir Algernon West, K.C.B., the then Chairman of the Board of Inland Revenue, to Question No 20,739 of the Royal Commission on Civil Establishments in 1888, in which he stated that surveyors of taxes deal with two-thirds of the cases that would be appeals, that he found there existed such confidence in surveyors of taxes that very nearly all the merchants in the large towns will go to the surveyors, produce all their books, and go through their accounts and express their desire to settle the assessment with them notwithstanding, as he said, the illegality of such proceedings, and that in fact assessments are settled in that way by surveyors of taxes instead of by commissioners; will he say whether the answer given by Sir Algernon West in 1888 represented the actual facts at that time; and if he is aware that the practice still exists, although it was then declared to be illegal.

The following Questions also appeared on the Paper:—

MR. MYER: To ask the Secretary to the Treasury if his attention has been drawn to the evidence given by Mr. Hewitt, K.C., Clerk to the Commissioners of the City of London, before the Income Tax Commission, 1904–5, Question 1,197, to the effect that taxpayers in the city of London usually rely on the surveyor of taxes and on him, and they often try to settle the matter with the surveyor; in a case where they cannot agree the papers go to him and he endeavours to assist a settlement, and no appeal is made to the commissioners in such cases; is he aware that the surveyors of taxes in undertaking this work are acting illegally; and can he explain the statement made by the Board of Inland Revenue through him and to this House that there is no foundation for the suggestion that surveyors of taxes are doing work which legally falls upon the commissioners for general purposes and their clerks.

MR. MYER: To ask the Secretary to the Treasury if his attention has been drawn to the evidence given by the principal of the Repayment Department of Somerset House before the Income Tax Committee, 1904–5, when, in answer to Question 434, he said that the law required that persons should prove their title to exemptions or abatement before the district commissioner of taxes, but that in practice they do not require them to do that; the claimant sends his statement of total income to the surveyor of taxes, who, if satisfied, certifies that the person is entitled to exemption or abatement, as the case may be; and can he explain the statement made by the Board of Inland Revenue that they know of no foundation for the suggestion that surveyors of taxes do work which legally should be done by commissioners.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. McKENNA, Monmouthshire, N.): I will take my hon. friend's three Questions together. It is difficult to answer highly argumentative Questions of this kind without a fuller explanation than can conveniently be given across the floor of the House, but if my hon. friend will communicate with me privately, I will explain the position to him.

MR. MYER: I think it a most unsatisfactory reply. Is the hon. Gentleman aware that the officials supply him with Answers which mislead the House?

MR. McKENNA: No, Sir.

Barton Farm, Isle of Wight.

MR. ROGERS (Wiltshire, Devizes): I beg to ask the Secretary to the Treasury whether he is aware that Barton Farm, Isle of Wight, containing 572 acres, the property of the Crown, is now being farmed by the Woods and Forests Commissioners themselves at a loss, for the year ending 31st March, 1905, of £1,086 0s. 7d., and for the year ending 31st March, 1906, at a loss of £876 17s. 10d.; what sum, if any, has to be added on account of rent in order to arrive at the full loss sustained by the Commissioners by farming this land themselves; and whether the Commissioners are taking any steps, by sub-division of this holding, to arrive at a more profitable method of dealing with the property.

MR. McKENNA: Barton Farm contains 768 acres. The cash expended in the two years referred to exceeded the cash received in those years by the amounts stated, but the value of the stock, etc., on the farm is considerable. No valuation for letting Barton Farm has been made and the rent cannot, therefore, be stated. The farm is intermixed with other parts of the Osborne property which are devoted to other Government purposes, and although the question has been examined, it has not been considered expedient to try to let the principal parts of the farm. Some outlying portions have been let, but it is doubtful if further land to any extent could be let with advantage while the farm is kept in hand.

Burwell Crown Farm.

MR. ROGERS: I beg to ask the Secretary to the Treasury whether he is aware that the expenditure by the Woods and Forests Commissioners on the Crown farm at Burwell, Cambs., amounting to 917 acres, during the two years the farm was in hand was £12,381 2s., and the receipts £3,809 13s. 4d., showing a net loss of £8,571 8s. 8d.; how much of this loss is covered by the stock on the farm; and whether in their accounts showing expenditure and receipts the Commissioners have debited the farm with the rent of £700, or any proportion thereof, for which rent the land has lately been let for purposes of subdivision amongst small holders.

MR. McKENNA: I am informed that the cash expended and received respectively in the two years to 31st March 1906 was as stated in the Question. The difference is not a net loss, as the stock, etc., on the farm must be taken into account, though, as the valuations are made at 31st October (the end of the farming year) the value of the stock on 31st March cannot readily be stated. On the 31st October, 1905, however, the stock, etc., on the farm was estimated at £9,292, and to that date the farm showed a small surplus of £12 13s. without charging rent.

Crown Agents Fees.

MR. ROGERS: I beg to ask the Secretary to the Treasury whether, in view of the fact that the age ntsto the Woods and Forests Commissioners receive as remuneration for management of their agricultural property a poundage on the rents collected, when the farms are let, and fixed fees for the management of each farm in hand, and in view of the fact that in the case of the 4,280 acres in hand during the year ending 31st March 1906 the expenditure exceeded the receipts, he will state what these fixed fees are, how they are arrived at, and whether the Commissioners are considering the substitution of a poundage on profits for fixed fees as remuneration for the management of those farms which are in hand.

MR. McKENNA: The fixed fees allowed to the agents in respect of farms in hand include their expenses. They are usually fixed with reference to the rent that may be expected and to the number of visits to the property that under ordinary circumstances are to be anticipated and the expenses entailed by such visits. The fees allowed are as follows:—

	£	s.	d.
Burwell—917 acres - -	62	0	0
Barton farm—768 acres together with woodlands containing 345 acres and the charge of several miles of roads and sea wall, etc. -	150	0	0
Neats Court (Isle of Sheppey) 1157½ acres - - -	49	7	0
Potters Hill (Oxford) 490½ acres - - - -	52	0	0
Shimpling (Suffolk) 572 acres	45	0	0
Land at Wingland (Lincolnshire) 357 acres - -	36	0	0
	£394	7	0

The question of the remuneration of the agents on the profits has been considered, but it has not been held to be practicable or desirable to adopt such a system.

Unlet Crown Farms.

MR. ROGERS: I beg to ask the Secretary to the Treasury whether he is aware that several farms in different counties, amounting in all to 4,280 acres, the property of the Crown, and under the control of the Woods and Forests Commissioners, were during the year ending 31st March, 1906, unlet for lack of tenants, and being farmed by the Commissioners at a net loss to them of £940 11s. 6d.,; what sum, if any, on account of rent has to be added in order to arrive at the full loss to the Commissioners occasioned by their agricultural operations; and whether the question of sub-division and adaptation of these farms in order to meet the demand of the more numerous class of tenants who possess small capitals is under the consideration of the Commissioners.

MR. McKENNA: I am informed that in the year ended 31st March, 1906, the cash expended on the unlet farms in question exceeded the cash received by the amount stated, but that is not a net loss, as the stock, etc., on the farms were of considerable value. The farming year is taken as ending on the 31st October, and the valuations of stock, etc., on the farms are made then. At the 31st October 1905, the estimated values of the stock, etc., on the farms amounted to £29,867 and the accounts to that date showed an estimated total surplus of £12,922 8s. 8d. for the total periods during which the several farms had been in hand without charging rent. No estimate has been made of the rent. The best method of finding tenants is constantly under consideration and two of the farms referred to in the Question have recently been let.

State Banking Company, of Liverpool.

MR. WARDLE: I beg to ask Mr. Attorney-General if his attention has been called to the affairs of the State Banking Company, Limited, of Liverpool, and to the Report of the Official Receiver, No. 9,732, in the Chancery of the County Palatine of Lancaster (Liverpool District); and, if so, whether he will direct the public prosecutor to take action at once against the promoters of the company in question.

THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S): The matter is under inquiry.

The Bucknill Report.

MR. RAWLINSON (Cambridge University): I beg to ask Mr. Attorney-General if his attention has been called to the recent publication in certain newspapers of extracts from a confidential document dealing with crime among Chinese coolies in South Africa; and what steps have been taken to bring the offenders to justice under Section 2 (1) of 52 and 53 Vict., c. 52 (Official Secrets) Act.

SIR JOHN WALTON: I think this Question was answered by the Prime Minister yesterday.

LORD R. CECIL (Marylebone, E.): Have any steps been taken in the way of communicating with the police?

SIR JOHN WALTON: Not that I am aware of.

LORD R. CECIL: Why not?

VISCOUNT TURNOUR: Did not the Prime Minister say yesterday that he could not yet give any reply on the subject.

SIR JOHN WALTON: Hon. Members opposite have a simple course they can take. If they think the law has been broken they can draw the attention of the Director of Public Prosecutions to any materials they have and he will consider them, and communicate his opinion on the matter.

VISCOUNT TURNOUR: Would it not be advisable to give us those materials?

MR. RAWLINSON: Does the Attorney-General suggest that when an official secret has leaked out it is not the duty of representatives of the Government, but of some private Member, to take the matter up?

[No Answer was returned.]

Barlinnie Gaol.

MR. MITCHELL-THOMSON: I beg to ask the Secretary for Scotland whether he will grant the Return relating to number of prisoners transferred from Barlinnie to Perth during the past three years.†

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): There is no objection.

Stationery Contracts in Ireland.

MR. SLOAN (Belfast, S.): I beg to ask the Secretary to the Treasury whether he is aware that an Irish firm on 6th October last estimated for the printing of 500,000 pamphlets in connection with His Majesty's Stationery Department; that owing to their having to add £50 for carriage over and above the cost of executing the work they were unable to compete successfully with firms having no carriage to pay; and whether, in view of this fact, he will consider the advisability of removing this block.

MR. McKENNA: The disadvantages, of which the hon. Member complains, operate in the case of all contractors whose establishments are situated at a distance from the locality wherein the contract must be carried out, and they are not confined to the supply of stationery. I do not think that the Government could undertake to compensate a particular firm for any disadvantage arising from increased cost of carriage of goods owing to the place at which the firm carries on its business.

MR. SLOAN: Is it not a farce asking them to estimate knowing they cannot compete successfully?

MR. McKENNA: But they do compete successfully.

Ireland and the Unemployed Grant.

MR. LONSDALE: I beg to ask the Secretary to the Treasury whether the provision of £200,000, made in the Supplementary Estimates of the present session for the purposes of the Unemployed Workmen Act, has been allocated by the Treasury between England and Wales, Scotland, and Ireland; and if so what is the amount of Ireland's share of this grant.

MR. JOHN BURNS: Perhaps I may be allowed to answer this Question. The allocation of the grant between the three countries has not at present been made. Negotiations are going on between myself and my right hon. friends the Secretary for Scotland and the Chief Secretary to the Lord-Lieutenant on the subject, and I hope that the share of Ireland will very shortly be settled.

MR. LONSDALE: Will the right hon. Gentleman take care that Ireland gets its full share?

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† Return showing (1) number of prisoners transferred from Barlinnie Prison to Perth Prison during the past three years; (2) length of original sentence on each of the above prisoners; (3) length of sentence still to run at the date of transfer.

MR. JOHN BURNS: I think we may safely leave it to the Irish Members to see to that.

Armagh Election.

MR. GLENDINNING: I beg to ask the Postmaster-General if he is aware that the sub-postmaster at Loughgall, county Armagh, headed a number of Mr. Moore's supporters and chased Mr Lindsay Crawford's agents and supporters out of Loughgall village; is he aware that the sub postmaster took an unusually active and prominent part in the formation of Mr. Moore's candidature; has any complaint been made against him; and what steps does the Postmaster-General intend to take in this matter.

MR. CHARLES CRAIG (Antrim, S.) Will the hon. Gentleman defer his Answer until the hon. Member has taken his seat as he may have some valuable supplementary Questions to put?

MR. FLAVIN (Kerry, N.): Is the right hon. Gentleman aware that the hon. Member is under the Gallery with a blackthorn?

MR. SYDNEY BUXTON: I can answer you without the assistance of my hon. friend, whether sworn or unsworn. I received on the 15th a telegram from Mr. Lindsay Crawford making certain allegations against the sub-postmaster of Loughgall in reference to his conduct at the election. I at once called for a report and I understand that he did not interfere in any way in the election. On one occasion however he properly declined to allow Mr, Crawford's canvassers to deliver an address in the Post Office. If the hon. Member has any evidence on the subject which he desires to put before me I shall of course make further inquiry.

Return of Landowners.

MR. CHIOZZA MONEY: I beg to ask the Prime Minister, whether, in view of the importance of the subject, he will grant the Return of Landowners of the United Kingdom, in continuance of that published in 1878.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN): No, sir, I am afraid I cannot recommend the granting of of this Return. I am informed that it would take a very considerable time to prepare and that it would cost at least £20,000. As at present advised I do not think that we should be justified in incurring this expenditure.

LORD BALCARRES (Lancashire, Chorley): ,May I ask whether it is possible for the right hon. Gentleman to reconsider his decision in view of the fact that the Government is going to spend £60,000 on a Periodical Census of Production Bill?

SIR H. CAMPBELL-BANNERMAN: The fact that we are going to spend a great deal of money on one thing does not seem to me a reason for spending a great deal on another.

MR. CHIOZZA MONEY: Surely the Return would be very useful in view of the fact that the Government contemplate important land legislation.

SIR H. CAMPBELL-BANNERMAN: We already have plenty of information.

Rates on Unimproved Land Values.

MR. SNOWDEN (Blackburn): I beg to ask the Prime Minister, whether he has seen the Report of Mr. P. Heyes, Commissioner of Taxes for New Zealand in which he states that the effect of basing rates on the unimproved land value has been greatly to stimulate the building trade in that Colony by forcing land to be put to the best use; and whether, in view of the depressed state of the building trade in this country, he will introduce legislation here on similar lines at an early date.

SIR H. CAMPBELL-BANNERMAN: Yes, Sir, the Report has been brought to my notice and I quite appreciate its importance, but all I can say at the moment is that the whole question is being carefully considered by the Government.

International Exhibition.

MR. FELL: I beg to ask the Prime Minister if he will cause to be included in the subjects to be brought by the

Government before the Colonial Conference the question of the great International Exhibition which it is suggested could, with benefit to the empire, be held in London within the next few years, so that he may be able to learn the views of the Colonies on the matter and the share which they would respectively be prepared to take in it.

SIR H. CAMPBELL-BANNERMAN: No, sir, I am not in a position to say anything about this matter, and I have no information about the Exhibition which the hon. Gentleman mentions.

Shropshire Magistracy.

MR. HENRY (Shropshire, Wellington) I beg to ask the Prime Minister whether he is aware that in spite of the disproportion between the Liberal and Unionist county magistrates in the county of Shropshire at the end of last year, of fifteen county magistrates recently appointed by the Lord Chancellor eight are recognised as adherents to the Unionist Party; and whether he will recommend a more effective remedy to an evil which the Lord Chancellor has admitted causes a legitimate sense of injustice than by accentuating the preponderance of Unionist county magistrates.

SIR H. CAMPBELL-BANNERMAN: I am not aware that eight of the gentlemen referred to are Unionists. The Lord Chancellor carefully considered the names suggested to him by the hon. Member, and of those who were willing to accept the position, all who in the opinion of the Lord Chancellor were suitable have been placed on the Bench. The latter part of this question is argumentative. The existing disparity is a real evil, but it is not to be remedied by the appointment of gentlemen who are not suitable, and that may be the case without the least reflection on the personal character of the individual. The Lord Chancellor's difficult duty is to judge of this for himself, and he discharges it to the best of his ability.

MR. LUPTON: How is it possible for the Lord Chancellor himself to judge the characters of the 5,000 gentlemen who are required as magistrates in this country?

[No Answer was returned.]

Sir Henry MacCallum.

MR. SWIFT MACNEILL: I beg to ask the First Lord of the Treasury, whether Sir Henry MacCallum, who succeeded Sir W. F. Hutchinson as Governor of Natal in January, 1901, and arrived in that Colony on 13th May, 1901, has already exceeded by several months in his tenure of this appointment the usual term of the holding of a Colonial Governor which is for a period of five years; on what ground has Sir Henry MacCallum's term of office as Governor of Natal been extended, and on whose application; on what conditions was this favour granted to him by the present Government; and whether, having regard to the disturbed condition of Natal during his Governorship, the insults offered by him to the Boer leaders during the negotiations which preceded the peace, and the severity in administration of the martial law *regime* which have characterised his Governorship of Natal, steps will be taken to bring his official connection with Natal to a termination.

SIR H. CAMPBELL-BANNERMAN: My hon. friend must have been misinformed. Sir Henry MacCullum was appointed for the usual term of six years which does not expire until May of next year.

MR. SWIFT MACNEILL: Is not the usual term five years—it was so in Jamaica?

SIR H. CAMPBELL-BANNERMAN: In Natal I am told it has always been six years.

MR. SWIFT MACNEILL: Having regard to the statements in this Question which have not been denied, would it not be well to curtail Sir Henry MacCallum's term?

SIR H. CAMPBELL-BANNERMAN: I have not dealt with the reflection on Sir Henry—I have only answered as to the term of his appointment.

The Income-Tax Committee.

MR. VICTOR CAVENDISH (Derbyshire, W.) asked the Prime Minister whether he was aware that statements had appeared in the Press purporting to give the recommendations of the Committee on Income-tax, whether the Report had yet been laid on the Table of the House, and whether steps would be taken to prevent such premature disclosures.

SIR H. CAMPBELL-BANNERMAN: The report of the Committee has not yet been issued, but I believe certain statements, some quite inaccurate, have been published on the subject. The only method of preventing such premature disclosure rests with members of the Committee—of whom I believe my right hon. friend was one—and no doubt they will take notice of the Question. I do not know that I can do anything.

MR. VICTOR CAVENDISH assured the right hon. Gentleman that he had made no disclosure.

BUSINESS OF THE HOUSE.

SIR EDWARD SASSOON (Hythe) asked when the Papers on the Berlin Conference regarding wirelesss telegraphy would be ready, and when the promised debate would be taken.

SIR H. CAMPBELL-BANNERMAN said he was afraid, after what had occurred, that he could not make any promise as to a date for discussion. He believed the Report of the Conference was in the hands of the printers, and as soon as it was issued to Members he hoped to say something as to an opportunity for discussion.

MR. AKERS-DOUGLAS (Kent, St. Augustine's) asked as to the business for next week.

SIR H. CAMPBELL-BANNERMAN said the business on Monday would begin with a Motion for determining the length of the Report stage of the Plural Voting Bill, to be followed by that stage of the Bill, which he hoped would be brought to a conclusion by Wednesday night.

MR. AKERS-DOUGLAS hoped the right hon. Gentleman would consider how much the Bill would be changed by the Amendments given notice of by the First Commissioner of Works, which Amendments contained 125 lines of new matter.

SIR H. CAMPBELL-BANNERMAN: Every line of which new matter was put down to meet the wishes of right hon. Gentlemen opposite.

MR. KEIR HARDIE asked what business would be taken on Thursday.

SIR H. CAMPBELL-BANNERMAN: Here again I hesitate to make a statement which may lay me open to remarks about "trifling with the House," "proceedings under false pretences," and such like phrases; but I hope—I will go so far as to say I hope—we may begin the consideration of the Workmen's Compensation Bill.

NEW MEMBER SWORN.

William Moore, esquire, K.C., for the County of Armagh (North Armagh Division).

MERCHANT SHIPPING BILL.

Order for Third Reading read.

Motion made and Question proposed, "That this Bill be now read the third time."—(*Mr. Lloyd-George.*)

*MR. DAVID MACIVER (Liverpool, Kirkdale) who had given notice of his intention to move that this Bill be read a third time this day three months, said that nothing was further from his desire than that by the rejection of the Bill they should nullify the fruits and labours of the Select Committee of 1904–5. But if this Bill were rejected now the result must be that they would have a better Bill in the next session of Parliament more completely carrying out the recommendations of that Committee. That Committee was a very strong Committee. It had not merely the advantage of being presided over by his hon. friend the Member for Dulwich, but it had the advantage of the expert assistance of Mr. Charles McArthur who was at that time member for the Exchange Division of Liverpool, and whose absence from the House all old Members on whichever side they sat would regret. The evidence placed before the Committee was of such a character that it left no kind of doubt that British shipping had been in the past and was to-day grievously handicapped in competition with foreign shipping. The Committee arrived unanimously at the conclusion that the law was in such a condition that it should be thoroughly altered, putting British and foreign shipping on equal terms. And in so far as this measure was based on the recommendations of that Committee, in so far as it went in the direction of placing British shipping and foreign shipping on equal terms, he was heartily in accord with it. But the Bill like other measures that had come before the House did not correspond with the memorandum attached to it. It did not as other Bills sometimes did not really and truly do what it was intended to do. His desire was to support everything in the Bill which tended towards placing British shipping and foreign shipping on equal terms. His complaint was that it did so only to a limited extent. If this Bill became law in its present shape, they would be told next year that the circumstances had been fully considered, and that all the reasonable demands of British shipowners had been met. They were not met by this Bill. They were only partially met. He wished to bear his individual testimony to the good work of his right hon friend the President of the Board of Trade. They had in him a gentleman who had really done his best to obtain information, and who endeavoured to understand his business. The subject was entirely new to him, and he had brought to it a fresh mind and great ability, and had done his best to do right and to be fair. But he had not heard from the right hon. Gentleman any acknowledgment of the labours of the Committee of 1904–5, over which his hon friend the Member for Dulwich presided, although it seemed to him that everything that was good in this Bill was the result and the fruits of the labours of that Committee. The Committee was in no sense a party Committee nor was this Bill in any sense a Party measure. The Committee took evidence carefully, and came to very clear conclusions and, in so far as this Bill carried out the conclusions of that Committee, he was heartily and absolutely in accord with it. But let them take the declared purpose of the very first clause of the Bill, "The application of British load-line provisions to foreign ships." Any non-technical reader who took up the Bill, and even those who ought to understand it, when they came to this clause, would find that it largely spoke by reference and inference, and he did not suppose there were half a dozen hon. Members in the House who by reading the clause would ascertain what it actually meant. On the margin were the words—

> "The application of British load-line provisions to foreign ships."

But upon reading the clause itself it seemed to him that it did not apply the British load-line to foreign ships. That, no doubt, was approximately the result so far as outward-bound vessels were concerned; but only so far as outward vessels were concerned. As regards homeward bound vessels he had some recollection of a bogey being raised by the Solicitor-General with regard to retaliation and the action that would be taken by foreign governments if we treated foreign vessels which arrived at our ports in the same way as we treated British vessels. He regretted that on that occasion he had been somewhat rude to the hon. and learned Gentleman. But though he might regret the actual words he used, and which he was afraid had not been very polite, that regret did not extend to the sense which he desired to convey, which was that, however great a lawyer the hon. and learned Gentleman might be, he knew nothing whatever about shipping management; and that these matters which seemed so difficult to the hon. and learned Gentleman were very easily dealt with by shipping people. He would go further and say that had the matter been left in the hands of the right hon. Gentleman the President of the Board of Trade, a perfectly satisfactory solution would have been arrived at. There was no real difficulty in treating foreign ships in a similar manner to that in which we treated our own. The Board of Trade had only to issue an Order in Council, modifying the load line generally in regard to arrivals, which would put foreign steamers practically under the same conditions as British. It ought to be made illegal for any steamer to arrive with her deep load line awash. If a British steamer arrived in a condition which showed that she must have been overladen during the voyage she was put under penalties. If a foreign ship arrived in a similar condition she suffered no penalties at all. Then there was the question of bunker coal. A British ship was handicapped to the extent of the quantity of coal she consumed during the voyage, which might be a matter of several hundred tons. The foreign ship was under no such restriction, and might carry her bunker coal for the voyage in addition to her cargo. There would be no difficulty in putting this matter right in a future Bill without the slightest chance of raising any international complications. All the President of the Board of Trade would have to do would be to see that a record was kept of the condition in which every vessel bound for this country left port, and to determine the arrival load line accordingly, by treating every arriving vessel as if the coal consumed during the voyage were still on board. This Bill would not be of much use unless foreign and British ships were put on an equal footing. In many cases the whole difference between profit and loss lay in the advantage which foreign vesssels had over the British with regard to bunker coal. For years, under the free trade fetish, we had allowed foreign ships to compete unfairly with us. It was too late to repair the mischief of the past, but it was not too late to prevent the continuance of that mischief in the future. This Bill did not go far enough and should be withdrawn, the load-line question ought to be threshed out again, and a new Bill brought in which should contain all that was good in this Bill and put both British and foreign ships really upon an equality. He noticed that Clause 6 was described as "Saving for ships coming in under stress of weather, etc." The most important part of that phrase was the "etc." because when the clause was read it was found that any foreign vessel might, under certain circumstances, come into a British port for the purpose of taking in bunker coal; she could take in hundreds of tons and do anything she pleased. That was all included in "etc." Under this clause a foreign vessel which had been overloaded all the voyage could come into a British port alongside a British vessel which carried hundreds of tons less and yet could not be touched because she only came in for bunker coal.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. LLOYD-GEORGE, Carnarvon Boroughs) said that the hon. Gentleman was mistaken. If a ship came in for bunker coal it would be in exactly the same position as if it came in to discharge cargo.

*MR. DAVID MACIVER said he did not think so; but if it were made clear that the clause meant what the right hon. Gentleman said, his objection would be disposed of. There was a great deal in this Bill that required to be made clear. He had rather associated this clause with the replacement of some portion of the coal that had been used on the voyage, and he thought his interpretation was right. Clause 10 dealt with the loading of timber. That clause was of very doubtful value either to the seaman or to the shipowner, and he doubted whether it ought to be in the Bill at all. The interpretation of the clause might carry the inference that the bulwarks of a ship should be seven feet high. Hon. Members who like himself had been on the sea would agree that bulwarks of that height, however they might add to the comfort of a ship in moderate weather, would add considerably to the danger the ship would incur in bad weather. Unless the ship was provided with freeing ports for the water which came on board, there would be left a space in which a great mass of water might be confined to the great danger of the vessel. It was said that wood loaded to the top of the bulwarks would keep out the water and make the ship safe. But what about the people having to go about the ship with wood loaded up to the top of the bulwarks, without a rail and no protection whatever, except perhaps a life line which was a very poor protection? There was a great deal to be said in favour of the view that this clause was an undesirable one. Clause 13 dealt with the prohibition as to the engaging of seamen with an insufficient knowledge of English. That sounded reasonable, but knowing what he did of the conditions under which some shipowners conducted their business he wondered how they came so readily to agree to it. One of the leading shipowning firms in this country, Messrs. Alfred Holt & Co., who were of the same politics as the right hon. Gentleman, and whose ships traded between Liverpool and the Chinese ports, had about 2,000 Chinese on board their ships. From a business point of view these Chinese people were very satisfactory, but he did not at first understand how the language test was got over in that case. He wondered whether the President of the Board of Trade knew. But if they read this clause they would see that before the language test could be applied the seamen must be engaged at some port of the British Isles or between the River Elbe and Brest. He did not suppose these 2,000 well-behaved Chinamen who were serving in British ships were engaged in the particular manner described in the clause, and therefore they were free from the operations of the Bill. There were a great many parts of the Bill to which he took exception. Clause 51 said—

> "Where it appears to the Commissioners of Customs that there is any doubt as to the title of any ship registered as a British ship to be so registered, they may direct the registrar of the port of registry of the ship to require evidence to be given to his satisfaction that the ship was entitled to be registered as a British ship."

One would suppose at a first glance that this clause was intended to provide whereby no ship could be registered as a British ship unless she was a British ship. Nothing of the kind. Foreigners could not own British ships, but there was nothing in the world to prevent foreigners forming a limited liability company, registering the company in London, and being owners of the vessels. The President of the Board of Trade not unfrequently spoke eloquently of the great extent of British shipping, but he was apt to forget, and many forgot, that about 1,000,000 tons of the finest shipping in the world that sailed under the British flag was not British at all and would not in any way be touched by this clause. The magnificent fleet of vessels of which the White Star Line was one, belonged to what was known as the American Combine. Although the ships were registered in this country, the shares of those companies were mostly held elsewhere. [Cries of "No, no."] He knew what he was talking about. These ships were practically owned in the United States of America, and under this Bill they would still continue to be registered under the British Flag, although they were not British owned ships in the true sense of the word. Our American friends were very shrewd business people, and they had delightful arrangements whereby they combined the advantages of both countries and got the protection of the British laws while they were sufficiently American to be fairly safe in getting all that the American law gave. He did not like this clause relating to the ownership and registration of vessels. It ought to be, in some future Bill, so amended as to make it quite clear that no ship would be entitled to a British register unless there were two-thirds or at all events some considerable proportion really *bona fide* British property. No one could point to this Bill as a complete settlement of the questions in regard to which British shipowners had a right to complain. He thought much more was being claimed for the Bill than it actually did. When they came to the question of deduction of spaces used for water ballast in ascertaining the dues paying tonnage, he might point out that complaint had reasonably been made of the insufficient amount of water ballast carried by many steamers. It had been said with perfect truth that some of these vessels would be safer if they carried more water ballast, and it had also been said with perfect truth that the vessels of the particular construction which Clause 51 was intended to favour were perfectly safe and desirable ships. The vessels to which he referred were an extremely good type of ship which ought not to be discouraged. He had heard builders point out this in recommending this new type of vessel. One vessel of this description got into trouble and was actually saved and brought into port by reason of these top side water ballast tanks. But did not this show that these spaces were really useful and necessary for the purposes of flotation? They were required in order to enable the vessel to carry her weight, and therefore should be added to the tonnage. He disliked the clause as it stood because it was unfair and because it favoured a particular class of vessel. He was very far from making any personal charge, but it so happened that the owners of these vessels sat only on the Ministerial side of the House. They had had an opportunity, perfectly legitimate and fair, of representing their views to the President of the Board of Trade. He did not blame them for that.

MR. LLOYD-GEORGE said he must correct his hon. friend. He thought he was going a little too far. The only shipowners who had had an opportunity of representing their views in the sense of which the hon. Gentleman spoke were the Chairman and the Secretary of the Parliamentary Committee of Shipowners. The Chairman was sitting on the hon. Gentleman's own side. The Secretary sat on the Ministerial side. He also heard Mr. Cuthbert Law, who was Secretary of the Shipping Federation, and who, he thought, belonged to the same Party as the hon. Gentleman opposite.

*MR. DAVID MACIVER said it was the fact that his shipbuilding friends were in favour of the clause. He would be in favour of it himself if he was a shipbuilder. He did not blame them. It was a business question. It benefited that particular class of ship, and held out a vista of shipbuilding orders designed to meet the new conditions and which would enable new ships so constructed to compete unfairly with other vessels.

MR. LLOYD-GEORGE: I simply interrupted because the hon. Gentleman said I had consulted shipping men only on this side of the House.

*MR. DAVID MACIVER said he did not say that. What he said was that Gentlemen on his own side of the House who were interested in this particular class of vessel had the ear of the right hon. Gentleman; but that shipowners generally were not in favour of the clause. Shipowners who were interested in the particular class of vessel which was favoured by this clause were in favour of it, but generally shipowners were not in favour of it. His contention was that such water ballast spaces as Clause 51 would exempt were absolutely necessary for the flotation of the ship and that there was just as much reason why they should be added to the tonnage as there was for any other part of the vessel.

SIR ROBERT ROPNER (Stockton) said he wished to call attention to the fact, as he had done before, that when this Bill was introduced by the right hon. Gentleman he gave shipowners to understand that in future foreign ships would be treated exactly the same as English ships, and for that reason shipowners supported the right hon. Gentleman and submitted to clauses in this Bill to which they would not otherwise have submitted. If the Bill had applied the British load line provisions to foreign ships he would not have complained, but it did not do so. He was perfectly well aware that under the new Bill foreign ships would have to have a load line the same as English ships, but that was only an advantage in appearance. It was not an advantage to British shipowners at all. Up to now the Board of Trade had insisted on foreign vessels being loaded in English ports similarly to British vessels, and the officials would stop those ships that were overloaded. What British shipowners expected to get was that all ships arriving in our ports would be treated similarly to their own ships.

MR. HAVELOCK WILSON: So they are.

SIR ROBERT ROPNER said they were not. The facts were that to-day foreign vessels might arrive in our ports with the load line awash, having made five-sixths of the voyage overloaded; but they had burnt 100 or more tons of bunker coal during the passage. If British ships arrived with their load line awash the owners were proceeded against, because the vessels must have been overloaded when they left the last port. This was not a small matter. If this Bill had placed foreign ships in the same position as our own shipowners would have applauded it. British shipowners were thoroughly dissatisfied with the measure, because they were being subjected to a scale of wages for seamen which would entail considerable extra cost. The provision that coolies had to be certificated also meant that they would have to be paid higher wages. They would never have submitted to the conditions imposed under the Bill had they known that foreigners were not going to be treated in the same way as English owners. Shipowners had been entirely misled. He desired especially to call attention to Clause 72 in regard to which he understood that some of his shipowning friends had agreed to some kind of a compromise. That was the reason why the clause was found in the Bill. It had been provided that the marine board superintendents should in future be appointed by the Board of Trade. He hardly needed to explain why marine boards were brought into existence. They were instituted to see that justice was done to sailors and firemen, and he was quite willing that that should be done upon all occasions. He would like to ask why had this clause made its appearance in the Bill? Two or three months ago an order was issued by the Board of Trade to the mercantile marine boards to allow a friend to be admitted with a sailor when he was paid off. This created a dispute between shipowners and sailors which never would have existed if those so-called friends had not been called in. As far as he was aware there had been in the past satisfaction with everything that had been done by these superintendents, but unfortunately, at the instigation of so-called representatives of sailors and firemen, the Board of Trade issued this order to allow a friend to be called in. The result was that practically all the marine boards declined to carry out the order. What was the use of marine boards at all if men were introduced in order to prevent them acting fairly between sailors and shipowners? The consequence was that the Board of Trade gave notice of this clause and threatened that, unless the shipowners accepted it, probably the mercantile marine boards would be done away with altogether. As a matter of fact, notice of an Amendment to that effect was given by the hon. Member for Middlesbrough. He was sorry the shipowners had not agreed to do away with the marine boards altogether, because they would be no use whatever if they were under the thumb of the Board of Trade. Every man on board a steamer who thought he had a grievance would enlarge it and acting, with his so-called friends, the marine boards would be gradually undermined. He had been led to believe and fear that a clause of this description would ultimately lead to accidents and possibly to a large loss of life. He thought every hon. Member must see that instead of this Bill being a great advantage to the shipowners of the country, it would be a disadvantage if what was now proposed was accepted as a final settlement of the question.

Mr. MACLEAN (Bath) thought there was a danger of the introduction of a so-called "sailor's friend" leading to the sailor's own disadvantage. The man who got hold of the sailor might be someone outside the proper official of the trade union; he might be something in the nature of a "crimp." He particularly desired to draw attention to what he considered was a somewhat grave omission from the Bill, and that was the absence of any provision for bettering the system of apprenticeship of the officers for the mercantile marine. Although there had been a great increase in the tonnage of British shipping it had been accompanied by a decrease in the number of British sailors employed. He thought in this matter they should start at the right end and begin with the boys. The present system was absolutely chaotic. They could not adopt the German system because it was so nearly related to the Navy. His opinion was that it would be impossible to get boys from respectable middle class homes, with such education as was necessary for those who went in for this profession, unless some means could be found of providing them with more suitable accommodation on board ship. He remembered an old captain telling him that he had four sons wild to go to sea, but he was afraid to let them go on account of the conditions prevailing on many of the ships. They all knew the mixture of nationalities and the general surroundings on board had now made a ship absolutely an improper place for young lads. This was really a national question. He did not think the argument that shipowners should bear the whole cost of training their own officers would hold for a moment when they considered the enormous amount of money spent by the nation annually in technical training. Enormous sums were taken from the rates and taxes for training in all kinds of British handicrafts, and what greater interest was there than that of the British mercantile marine? Yet the nation practically contributed nothing at all for the training of the officers and men who took part in that important industry. He hoped the President of the Board of Trade would, in the years of office that lay before him, attend to this matter, because it was one which was worthy of his best and highest attention.

*MR. HAVELOCK WILSON (Middlesbrough) said he looked upon the speech of the hon. Baronet the Member for Stockton as largely in the nature of stage thunder. The hon. Baronet had said that shipowners were against this Bill. He ventured to say that shipowners had a good deal to be thankful for in this Bill, because if the seamen had anything to complain of at all it was that the shipowners had the best of the bargain with the President of the Board of Trade. The seamen took up an altogether different attitude to the Bill from that of the shipowners. They were always thankful for small concessions, and he thanked his right hon. friend for the small concessions they had received in this Bill. They had obtained, for instance, a statutory food scale. It was a long way short of what he wanted and of what they ought to have, because the Departmental Committee presided over by the late Lord St. Helier recommended a much more liberal scale than that in the Bill. Still, it was a step in the right direction, and it would prevent men from being starved, as many of them had been on board ship. They were also thankful for the small concession they had got with regard to the employment of alien seamen, but he held that their employment on board British ships should conform to our standard, and they should be competent seamen in every way. The Bill provided that they must speak and understand the English language, and certainly that would be a safeguard. It would be some protection of the lives of the people employed on board our ships. The provision might have been extended to all the ports in the world, because it was just as dangerous to take on board at New York a crew of foreigners who could not speak English as at Rotterdam, Hamburg, or a Danish port. Still they had to consider the shipowners in the matter, and when they stated that they might be put to the expense of sending a crew to New York then, as reasonable men, the sailors took a reasonable view of the matter, and accepted the small instalment of what they would like to have. He was thankful also for the clause for the inspection of a ship's provisions. It was now over thirteen years since a law was passed providing for the inspection of provisions in ships going round Cape Horn. He had known cases where inspectors had condemned the food on board ships as being unfit for use, and the same food was afterwards placed on vessels going to the Black Sea and to Mediterranean ports. The clause which provided for the general supervision of provisions in ships in all trades was a step in the right direction, and he was thankful to his right hon. friend for it. With regard to forecastle accommodation he was afraid he could not congratulate his right hon. friend to the same extent. Although the seamen were to have 120 cubic feet of space, the washhouses or bathrooms were to be taken out of it. He thought they ought to have had 120 cubic feet for sleeping, and that the space for washhouses or bathrooms should have been extra. He was also disappointed that lascars were not placed on the same level as British seamen with regard to space. In the course of time it would be quite possible to drive British seamen entirely out of British ships by lascar labour.

MR. LLOYD-GEORGE indicated dissent.

*MR. HAVELOCK WILSON said his right hon. friend shook his head in regard to that point. He remembered the time, not many years ago, when lascars could not be employed beyond 38 degrees latitude. He knew of a case now where they were employed crossing the Atlantic to New York. He recently heard of a case where a ship was manned by a Chinese crew employed in the iron ore trade to Bilbao. He should have liked his right hon. friend to go as far as he had asked him, and to provide in the Bill that the Chinese and lascars, if employed on British ships, should have the same conditions as Britishers. He did not mean the same kind of food, for his right hon. friend would know that lascars did not eat the same class of food as Britishers, but there was no reason why lascars should be starved. He would have liked the President of the Board of Trade to take power under this Bill to inquire into the kind and quantity of food which lascars were given. He hoped his right hon. friend would take into consideration the necessity of providing a proper food scale for lascars, and seeing that they were not unfairly dealt with. British seamen did not fear competition from lascars or foreigners. The hon. Member for Stockton had performed a sort of war dance in referring to the local marine boards and the clause with reference to the taking over of the power of appointing superintendents. The hon. Baronet said that the only reason for this was that the President of the Board of Trade wanted to make provision for a seaman taking into the shipping office a friend to assist him. He himself was one of the sea lawyers, and he might tell the hon. Baronet that for ten years his intervention at the mercantile marine offices in Well Street, London, had resulted in a saving to the seamen of not less than £1,000 a year. Instead of increasing litigation his action had had the opposite effect. The local marine board in Well Street had always recognised the principle of allowing a seaman to take a friend in to put his case before the superintendent and the master. Only yesterday he was called in in a case where a number of seamen were making a most extravagant demand for breach of contract. They had "signed on" a ship and they supposed that they were bound on a two years voyage, but at the end of six weeks they were discharged at Alexandria and sent on to London. At the marine board offices they were claiming twelve months compensation for breach of contract. He had an interview with these men and he put them in a more reasonable frame of mind. That was where a friend could be of some service, not only to seamen, but to shipowners. He was certain that the friendly advice that had very often been given to seamen at the marine board offices had prevented a good deal of litigation. Why should not seamen have the right to have some one to represent them? Instead of interfering with discipline on board ship it had just the opposite effect. He believed that if an injustice was done to seamen it would incline them to be more unruly and to create a disturbance. If a seaman got justice he was like everybody else—he was satisfied. As to the clause in the Bill in regard to deck loads, he would make an appeal to his right hon. friend. He was not satisfied with it, and he felt that there were a good many like himself who did not like the alteration. He had made inquiries of shipowners and others since the debate on Friday last, and he could not find any shipowner who had asked for the change. Who was it that was demanding this alteration? The right hon. Gentleman was good enough on Friday to make some concessions by adding words to the clause providing for the better protection of seamen on ships with deck loads. He would suggest that a further concession might be made. He was inclined to agree with the statement of the right hon. Gentleman that on well-deck ships, timber might be loaded up to the top of the bulwarks, and that proper safeguards should be put up for the protection of the seamen. But he was seriously opposed to flush deck vessels, which only had a rail for bulwarks, carrying seven feet of timber. He would suggest that these flush deck vessels should only be allowed to carry a deck load of three feet. He would give a very good reason for that. On flush-deck vessels there was only a rail, and the cargo had to be secured by chains running through ring-bolts in the deck. Three feet of timber might be secured on deck with safety in that manner; but when they came to increase the deck cargo to seven feet, then too great a strain would be put on the ring-bolts, and if strong gales were encountered in the winter time and heavy seas were breaking on board, the ring-bolts would give way, the whole deck cargo go overboard and the ship become practically a wreck. He thought that the right hon. the President of the Board of Trade should, when the Bill went to another place, have an Amendment introduced allowing well-deck ships to carry cargo up to the level of the bulwarks, and flush-deck ships only to carry three feet of deck cargo. Personally he did not believe in deck loads at all. The decks of ships were intended for the crew to do their work, and when a gale was blowing and heavy seas were breaking over the vessel, a deck load was not safe. Why should not the timber, instead of being piled up on the decks of ships, be built in huge rafts which could be towed? He believed, however, that that was tried as an experiment on the American coast, but it was found that in rough weather the rafts went to pieces and eventually the experiment was given up as an unprofitable job. He fully recognised the fact of foreign competition. Foreigners very often carried unrestricted deck loads; but that might be dealt with by international arrangement. The President of the Board of Trade might approach foreign Governments on the matter of making a universal restriction of deck loads. He could say that in consequence of regulations passed by the House of Commons and enforced by the Board of Trade, there had been a very marked change in the measures taken for the safety of seamen. In the year 1884–5 3,200 men were lost, killed, or drowned on board British ships. The loss was now less than 1,400, due, in his opinion, to the splendid regulations to which he had referred. The fact was, however, that while the loss of life on or from British ships had been steadily decreasing, the loss on foreign ships had been steadily increasing. The state of affairs on board Swedish and Norwegian ships was terrible. He thought it would be for the benefit of shipowners if further legislation were passed to secure additional safety to seamen on shipboard, especially in view of the probable extension of the Workmen's Compensation Act to seamen. In regard to repatriation of British seamen changes had been made in the Bill which he could not understand. In Sub-section 12, page 16, it was stated that—

"This sub-section shall not apply in the case of an absent seaman."

He thought that if a man deserted a ship, or through misfortune failed to join his ship before it left a foreign port, that man was an "absent seaman."

MR. LLOYD-GEORGE said that his hon. friend should read on further. The next words in the sub-section were—

"This sub-section shall not apply to absent seamen in cases of (a), (b), (c) and (d)."

*MR. HAVELOCK WILSON said he had read the whole sub-section but it did not seem to him clear. An "absent seaman" was a man who was absent from his ship for any cause. Then in Clause 32 it was provided that where the services of a seaman belonging to a British ship terminated at a foreign port, the master of the ship should provide for his being sent home at the expense of the ship. He asked the President of the Board of Trade why such a provision was not made in the case of a seaman discharged in a port in His Majesty's dominions abroad. Take the case of a man who had signed an agreement for two years, but at the end of the two years instead of the ship being in a port of the United Kingdom, she was at Hong Kong. Why should not that man be sent home at the expense of the owner, as he would be if the voyage had terminated at a foreign port? He wished that the right hon. Gentleman had been able to put into the Bill a provision for certificates being issued to firemen and shipwrights, and he hoped that he might be able to make that provision in another Bill next year. He knew that some hon. Gentlemen had said that when this Shipping Bill was passed they did not want any more shipping legislation for the next 100 years. He hoped, however, that the right hon. Gentleman would say that this Bill was only a small instalment of reform. A Committee sat some years ago on the manning of ships; and he thought it was the duty of Parliament to take notice of the Report of that Committee and the recommendations they made in regard to firemen's certificates and the introduction of a scale for the manning of ships. He trusted that next year, when the right hon Gentleman the President of the Board of Trade settled down to his work, he might find time to bring forward measures dealing with the recommendations of that and other Committees on the shipping interest. He recognised that the right hon. Gentleman had had a great task indeed in piloting a Bill of this kind through the House of Commons; and that he had done so with tact and skill. It had been said that the shipowners had not been consulted on the matter, but he knew that they and the Shipowners' Society had been consulted at every stage. Of course every gentleman connected with the shipping industry could not expect to be consulted. A great deal had been accomplished by the conferences which had taken place from time to time. He congratulated the right hon. Gentleman on the excellent work that had been done in the Bill, and he said that as one who wanted a lot of satisfying. He trusted that next year they could look forward to legislation which would deal with many other points which had been left open. He supported the Third Reading of the Bill.

Mr. AUSTIN TAYLOR (Liverpool, East Toxteth) said he agreed with the hon. Member for Middlesbrough that in respect to this Bill one had to be thankful for small mercies. After listening to the speech of the hon. Member he felt chastened, and realised that things might have been very much worse than they were. The hon. Member for the Kirkdale Division of Liverpool, who moved the rejection of the Bill, in the course of his speech had made a most gratuitous imputation upon his right hon. friend the President of the Board of Trade in saying that the right hon. Gentleman had consulted certain shipowners who were of the same political complexion as himself. It was true that in a later part of his speech the hon. Member had to some extent atoned for that expression of opinion, but he might say in reply to the whole speech of the hon. Member that if cupidity was the vice of shipowners on that side of the House, lucidity was not the vice of shipowners on the other. On what did the hon. Member base his opposition to the measure? He admitted that it was a Bill which, from his point of view, was worthy of support, except in one particular point, and that was the gravamen of his charge against the Bill, that it failed to go as far as he desired it to go, because it did not place foreign ships in British ports on the same basis as British ships, and that the Bill did not apply to foreign ships to the same extent as it did to British ships. In his opinion, however, if the House looked upon the Bill as a whole and considered the variety of interests involved and the various matters of administration which it covered, he thought it was an extraordinary thing that a shipowner on either side of the House should come forward and move the rejection of the Bill on the ground that it did not go far enough. He had very little sympathy with the views put forward by the hon. Member for the Kirkdale Division of Liverpool or the hon. Member for Stockton, and he could not consider that they in any way justified their moving the rejection of the Bill. It seemed to him that the hon. Gentlemen were acting like a man who refused to eat his Christmas pudding because it lacked the spoonful of brandy which he desired. He was one of those who went into the lobby, not with a view of getting foreign vessels penalised, but in favour of putting them on the same footing in regard to the load-line as English vessels, by making them conform at the port of origin with the requirements of British law. He thought it was a perfectly futile proceeding now on the Third Reading to come forward and say that, because a particular portion of the Bill relating to the safety of foreign vessels was not carried so far as the shipowners would like, that was a reason for moving the rejection of the Bill.

*MR. SPEAKER: The hon. Member has several times stated that there is a Motion for the rejection of the Bill. That has not been made. There is no such Motion.

MR. AUSTIN TAYLOR apologised, and said he thought the hon. Member moved that the Bill should be read that day three months.

*MR. SPEAKER: He did not move it.

MR. AUSTIN TAYLOR said that in that case he understood there was no Amendment before the House, but he would like to say, on behalf of a considerable section of shipowners, that they did not regard the application of the regulations for the safety of foreign vessels as a very great concession to the shipowning interest in this country. He had no idea of giving any artificial protection to foreigners, but the regulations which had been applied were applied from the point of view of safety and with the object of avoiding loss of life and raising the standard of safety throughout the country. He had never understood that this reform was initiated with a desire to benefit British ships or penalise foreign ships, but it was desirable that the same regulations should be applied to foreign as to British ships. He did not think that the regulations as applied to foreign vessels were in any sense a concession to the shipowners of this country, but he regarded it as part of an international policy for enforcing a system of safety, not only for British vessels, but for foreign vessels in British ports. He had never thought it a hardship that foreign vessels should obey the rules as to the load line, or that they should be required to conform to our regulations as regards passengers. On the contrary, he thought the more we taught them to raise their standard as regards loading, safety, and general equipment the more efficient we should find them. He had never felt that the shipowners were under a great debt of gratitude to His Majesty's Government, but what shipowners were thankful for was that the right hon. Gentleman had found it desirable to consult not only with the shipowners, but with every interest concerned, with the result that a Bill had been framed which was less prejudicial to the complicated interests of the shipping trade than any shipping Bill which had come before the House of Commons. If the right hon. Gentleman had pursued the same policy in administration, some difficulties which had arisen might have been more or less solved. The provisions in favour of seamen deprived hon. Members of any pretext for calling it a shipowners' Bill, and he thought the right hon. Gentleman was entitled to congratulation from all quarters on the scheme by means of which he had reconciled conflicting interests, while it was admitted that the measure had not received from the shipowners anything like a factious or gratuitous opposition. The Bill was not a shipowners' Bill, but a Bill for the improvement of the conditions of employment at sea, and for generally regulating and facilitating the management of British ships. There were a number of small details very important to the shipping interest which the Bill had converted into law, and though he felt that the shipping interest had not benefited so much as other interests, he also felt that things might have been much worse. Many most threatening and dangerous experiments which a great many well meaning people on both sides of the House were desirous of of trying on the shipping interest had not been incorporated in the Bill, and shipowners on the whole were of opinion that matters might have been very much worse. It was better to have the devil they knew than the devil they did not know, and whatever might be shadowed forth by the hon. Member for Middlesbrough as to the years to come he might put it that their pious aspiration was that "sufficient unto the day is the evil thereof."

MR. BONAR LAW (Camberwell, Dulwich) said he had never concealed the fact that upon the whole he thought this Bill was a good one, and in every one of its stages he had done his best to help it through the House. It would indeed have been strange if one had taken a different course, because the right hon. Gentleman the President of the Board of Trade would agree that it would have been a difficult matter to have carried through this Bill except for the fact that he had the assistance of the Reports of three Committees appointed by the late Government to consider this question. That, however, did not detract from the skill with which the right hon. Gentleman had conducted the Bill through the House. It was one thing to have the materials and another to make use of them in the manner in which the right hon. Gentleman had. He believed most emphatically that the shipping trade as a whole had reason to be grateful that the right hon. Gentleman had felt himself at liberty to deal at once with the subject. He did not think, however, that it was so good a Bill as it might have been made, and there were three subjects in connection with it upon which he might say a word. The first was that alluded by the hon. Member for the Kirkdale division. It was, he thought, a great mistake not to have put foreign ships in the same position as British ships trading with British ports. That subject was dealt with at great length in the Committee stage, and he did not think there was any reason now why it should not be done. It had been suggested that the Bill should be dropped altogether on that ground, but that was a very strong step. But it was one of the blemishes on the Bill, and he hoped that it would be removed before the Bill received the Royal Assent. He appreciated the ground upon which the right hon. Gentleman objected to place British and foreign ships upon an equality in this matter, the danger of foreign complications arising, but he could not help thinking that if the right hon. Gentleman found the Peers, who had the same opportunity to consider this point as the right hon. Gentleman took the view that that alarm was without foundation, he would accept an Amendment which would put all ships trading in our ports on an exact equality. The representatives of the marine boards, having acquiesced in the course which the right hon. Gentleman had taken with regard to those bodies was a good reason why he should not urge the House to take a different view, but he thought the right hon. Gentleman had taken a disastrous step. The hon. Member for Bath had put the case in a way that should commend itself to the House. A Circular was issued saying that only seamen and their representatives should be allowed to enter the rooms of the local marine boards; then that Circular was withdrawn and another issued, which said that a seaman and his next friend, whoever it might be, should be allowed to go in. They all knew that the the next friend of the seaman was the crimp, and it would be a case of competition between the crimp and the representatives of the Seamen's and Firemen's Union. What the right hon. Gentleman had done, in effect, was to allow that swarm of land sharks which was to be found outside every marine board Office in the country, and which it had been the endeavour to keep outside the offices, for the first time to get inside the office and obtain a greater power over their victims. He believed, however, that if the right hon. Gentleman found that the evil existed he would not hesitate to withdraw the Circular which allowed it. All he had to say with regard to tonnage measurements was that on Clause 55 the question was discussed at some length, but only from one point of view. It was a pity that the other point of view was not touched, but as he was a party to the bargain which had been made he was not able to deal with it. He did not wish to go fully into the subject now, but he was convinced, and he hoped that the right hon. Gentleman would not think he was saying this offensively, that the right hon. Gentleman had not grasped and tackled the problem. It was an important and complicated question, and his suggestion was that the right hon. Gentleman should not commit himself on the subject until he felt that he understood the arguments on both sides. It was said that the President of the Board of Trade had promised to support a particular proposal when the matter came back to this House. He could assure the right hon. Gentleman that to make such a promise or do anything in that direction would be a mistake. The subject should be dealt with as a whole. With regard to the measurements of ships, it was suggested on Report that only the registered measurements should be taken into account for the dues. That was not a question between shipowners and dock owners; it was a question between owners of different classes of ships. Before the Committee upstairs owner after owner declared himself in favour of the change recommended by the hon. Member below the Gangway. He himself put to one shipowner the question, "Can you bring a witness to bear out what you say?" and that gentleman could not do so. But the question got into the papers next day, and he received a letter from the Chamber of Shipping strongly deprecating the proposal put before the Committee and asking him to recommend that such a change should not be made. Under these circumstances the right hon. Gentleman would feel that he ought not to deal hastily and, above all, without making sure that the class most interested in this question, the shipowners, desired it. He believed this Bill was, on the whole, fair to the shipowners and to the men, and that it would never have been carried through the House if the right hon. Gentleman had not had regard to, and constantly consulted, those whose interests would be most affected.

MR. LLOYD-GEORGE said he desired to thank the hon. Member for Dulwich for the very kind way in which he had referred to the part which he (Mr. Lloyd-George) had taken in getting this Bill through the House. He also took the opportunity of stating that he had been treated throughout the passage of the Bill with exemplary fairness by all who opposed it. If it had not been for that it would probably have been impossible for him to have got the Bill through this session, certainly not without overloading the Parliamentary ship, which was pretty well submerged already. He further acknowledged that it would not have been possible, but for the labours of the Committees appointed by his predecessors, Mr. Ritchie, Mr. Gerald Balfour, and the hon. Member for Dulwich. The material collected by those Committees had been of great value in the preparation of the Bill, and he had incorporated most, if not all, the suggestions made by those various Committees. The shipowners, although they had criticised various parts of the Bill, had, on the whole, behaved with great fairness and even liberality. They had increased the food scale for the sailor. They had made his accommodation better. Several concessions had been made for the improvement of the sailor's condition generally, with regard to allotment notes, to his treatment when distressed, and when ill abroad; and he had not had a single protest from any shipowners' association with regard to any of these concessions. That was why he very much regretted one or two speeches which had been delivered to-day. The hon. Baronet the Member for Stockton had suggested that if the shipowners had known they were not going to get a certain concession with regard to load-line, they would have opposed the Bill from the start, and would have resisted all these concessions to the sailor. He was very glad to believe there was no foundation for that suggestion. The shipowners, he thought, knew perfectly well what the Bill was. They received copies of it, and discussed every line of it. They had never protested against any of these concessions. The hon. Baronet the Member for Stockton said, "We were completely misled." He would like to ask when were shipowners misled. The hon. Baronet was one of those who had a copy of the Bill before it was introduced, and who knew what its provisions were, and he heard it explained in the House. Let it be assumed that the explanation he gave was not particularly lucid; even so, the hon. Baronet had the provisions before him, and knew exactly what was proposed, so that he was the last man in the House who should complain about being misled.

SIR ROBERT ROPNER asked if he might explain that the Committee upstairs carried the provision that individual vessels coming from foreign ports should be loaded the same as British vessels—that foreign vessels should be in the same condition as British. That was carried, and he was under the impression that it would be in the Bill. Consequently he had a perfect right to say he was, at any rate, under a wrong impression, if not misled.

MR. LLOYD-GEORGE said there was the First Reading and the Second Reading, when the provision in the Bill was exactly as it was at the present moment. The hon. Baronet knew perfectly well what that provision was, and had no right at all to complain of being misled. The hon. Member for Dulwich had complained that the Government had not put foreign ships in exactly the same position as British ships. He, however, still maintained they had taken the right line with regard to that. We had no right to prosecute foreigners for breaches of the law outside British jurisdiction. If they had committed an offence in Spain or some other foreign country, it was rather a strong order for us to proceed with a prosecution for what they did there; but when they came within British territorial waters they were no more exempt from prosecution for an offence than British ships. That was a conceivable principle. He was sorry to hear the hon. Member suggest that possibly there might be an alteration before the Bill received the Royal Assent in the direction of making a foreign ship liable to prosecution for an offence committed outside our jurisdiction. He thought it was a very dangerous principle, and might lead to complications.

Mr. BONAR LAW said that that very thing was done in the Bill at present. It made ships bringing grain responsible not only for the condition in which they arrived in England, but for the condition in which they left a foreign port. That was an offence committed outside our jurisdiction.

Mr. LLOYD-GEORGE said he had already pointed out that that was a totally different question, for the simple reason that if grain was loaded, say, at a Canadian port under certain conditions, they could not put that ship into a condition conformable with our law when it arrived here. They could not throw 300 or 400 tons of grain overboard during the voyage. But the case which the hon. Gentleman dealt with was a totally different thing. It was the case of a ship which, although when it arrived here, it complied with our regulation, left the foreign port in a condition contrary to our law. That was a totally different case. The breach of the law in the first case continued up to the point when the ship reached our port. We punished it, not for an offence in the North Atlantic, but for the offence of reaching our port in a condition which was an infringement of the provisions of the law. The provision had been inserted for the protection of human life.

Mr. BONAR LAW said the distinction drawn was not a distinction between offences, but as to the ease of proving the offences.

Mr. LLOYD-GEORGE said the hon. Gentleman was absolutely wrong. In order to illustrate the matter the hon. Gentleman gave the case of a ship leaving a Canadian port in a particular condition which would be an infringement of our law in regard to the load-line, and to the conditions relating to cargoes; it then went to Hamburg and discharged part of the grain cargo there, so as to be in a condition which would enable it to come to our ports. Then the hon. Gentleman suggested that we should prosecute.

Mr. BONAR LAW: Your Bill says so.

Mr. LLOYD-GEORGE said the hon. Member was perfectly wrong. He consulted the law officers at the time, and they told him no prosecution would lie in that case. Therefore, there was absolutely nothing in that. Let him take the point in regard to the Circular issued to local marine boards. He was not defending that at present, because he did not consider it relevant to the discussion. When the Board of Trade Vote came on it might be debated. But since the matter had been referred to, he was bound to make a few observations. He was asked that when a sailor had a dispute with the master or owner of a ship with regard to wages, or other matters, which came before the superintendents, he should allow him to call in a friend, even though that friend happened to be a member of the Seamen's Union. He thought it was a perfectly fair thing to do. He would tell the House the reason. When the sailor came to the local marine office, what were the circumstances? He was there confronted by the man who had been commanding him all through the voyage, a trained man, a man who must be a man of great strength and force of character and intelligence, otherwise he would never have reached the position. Masters were not made merely by favouritism, they were all trained, skilled men. They were men who were in the habit of dealing with accounts. The poor sailor was no match for a man of that kind when he came before the superintendent. This was not all. The master could call in to his aid a trained man; he did, as a matter of fact, take with him the shipbroker or the shipbroker's clerk, a man trained to deal with accounts. Was the sailor a match in looking into accounts with the master assisted by the shipbroker and the shipbroker's agent? He was not, and he did not think it was unfair that if the sailor felt he really could not present his case fairly, he should be allowed to have somebody to go along with him in order to assist him in doing so. The hon. Member had overlooked the fact that this was not an experiment which was being made for the first time. His hon. friend behind him would not have spoken as he had if he had any knowledge of the matter, because there were one or two ports, and certainly one, in which the experiment had been tried. It had been tried in the Port of London. He put the question at the deputation of local marine boards to the representative of the local marine board for London whether they did not allow the sailor to call in friends. The answer was that they allowed it in every case. He asked whether any inconvenience had arisen, and the reply was that up to the present there had been no inconvenience. The experiment had been tried for fifteen years in the greatest port in the world, and it had been a success. They had not had sea lawyers and sharks—he forgot by what other names Seamen's Union representatives had been called. But he would say this to the hon. Member and those who had some misgiving on the point. If they found any of these evils resulted—he did not expect them—there would be a case for reconsideration. He was, however, perfectly convinced that the thing would work out smoothly in other ports as it had done already in the Port of London. He was rather surprised to hear hon. Members support the action of the local marine boards in defying instructions. He was very glad the hon. Member opposite did not do so. It would be perfectly impossible to carry on any adminstration if that were allowed, and the course which had been adopted, even though the Circular were not the right kind of Circular, at any rate made the Amendment which he had introduced absolutely inevitable if the local marine boards were to be kept as part of the administration of the merchant shipping of the country. With regard to tonnage he had nothing to add. He had already said the question of tonnage ought not to be introduced into this Bill. The only promise he would make to his hon. friend was that if Bills were introduced—and they understood Bills would be introduced by the dock companies for the purpose of redressing grievances, and he considered them to be real grievances—as far as he was concerned, he would support the reference of those Bills to a Committee of the Whole House. He did not think he ought to go beyond that. The hon. Member for Middlesbrough had put to him a few questions with regard to some points in the Bill. The hon. Gentleman had tried to draw a distinction between ships with a well-deck and flush-deck ships. He was advised there was no real difference. With regard to the protection of life there was more danger to human life in the flush deck vessels, and the Committee, when they came to consider the regulations, should take more detailed and more careful precautions for the protection of human life. That was a question which he hoped would be borne in mind. With regard to timber, his hon. friend had rather exaggerated the danger. He knew that British ships at the present moment carried timber on deck under the very conditions incorporated in this clause. What they really did was to do their winter timber trade to the Continent. They brought timber during the winter, and they arranged that all timber for the Continent should be on deck, and all timber for British ports should be under cover. The best thing for the protection of the sailors was that they should regulate that traffic as was proposed. Already as a result of the debate which took place last Friday there had been an improvement. They were introducing regulations for the protection of life, and that was a better system than the irregular one which now existed. His hon. friend the Member for Bath had asked a question about apprentices, and he agreed that that was a very important matter. If they desired to have the British mercantile marine manned to any large extent by British sailors in the future, it could only be by resuscitating the old system of apprenticeship. Two months ago he appointed a Committee composed very largely of shipowners, and they were going into this matter. They were considering how they could best re-introduce a better system of apprenticeship. He did not know what their Report would be, but they were going into the matter very carefully and zealously, and he hoped as a result of their deliberations the House would be able to do something to improve the present proportion of British to foreign sailors in the mercantile marine. With regard to Indian legislation upon the subject of lascars, he had already brought before the notice of the Secretary of State for India the representations made by the Committee upstairs, and he believed that his right hon. friend had sent the matter over to India for further investigation. Up to the present nothing had reached him as to the result of those investigations by the India Office.

*Mr. HAVELOCK WILSON said he meant with regard to lascars engaged in the ports of the United Kingdom, and not in India.

Mr. LLOYD-GEORGE said they were practically part of the same service. He knew they were nominally engaged here; but they were practically engaged in Indian ports, and the matter must remain one for the Indian Council to deal with. At any rate, that had always been the practice in the past, and he did not see any reason to depart from it. He did not know whether there was any other point to which he ought to refer. He desired to thank hon. Members and those outside who had assisted him in framing the Bill. He desired to thank particularly the hon. Member for the East Toxteth Division of Liverpool, whose services had been very helpful, and the hon. Member for Middlesbrough, who had been very moderate in his demands. He thought the shipowners on the Committee were fully prepared to acknowledge that. With regard to those outside the House who had assisted him so much, he would like to mention Mr. Norman Hill, the representative of the Liverpool Steamship Owners' Association, for very few men understood merchant shipping better than he did. Mr. Hill had sat upon many sub-committees, and he felt that he must acknowledge publicly his valuable services. He had also found the Bill introduced on this subject by the Secretary to the Local Government Board, which was endorsed by the hon. Baronet the Member for Stockton, very useful. He was only sorry that the hon. Baronet thought so badly of the present Bill, because several clauses from his hon. friend's measure had been incorporated in this Bill. He did not think there was anything else he could usefully add. Several concessions had been made to shipowners, and to seamen as well, but what satisfied him most of all was that all these concessions had been carried by the mutual goodwill of all sections of the British shipping community.

*Mr. EVELYN CECIL (Aston Manor) said he was very glad to be able to take an active part in the discussion on this Bill. He agreed that it embodied valuable concessions as regarded British shipping, and he thought it was a measure which went very far to satisfy all sides. It was much to the credit of the President of the Board of Trade that he had succeeded in bringing together the various interests of shipowners, seamen, dock-owners, pilots, and those engaged in British trade generally, and in the main the result was one upon which the House could look with satisfaction. There were several broad principles which appeared to underlie the Bill itself. First of all there was the principle of safety to human life, and this was paid attention to by the provision that foreign ships should be treated in British ports exactly in the same way as British ships. On this point he regretted that the President of the Board of Trade was unable to see his way to extend the operation of those regulations to foreign ships which overloaded with coal in foreign ports. He hoped that on further consideration he might see his way to alter his policy in this direction.

in the near future. Of course, the responsibility must lie with the right hon. Gentleman. He thought it was quite possible that with an audacious policy of endeavouring to treat foreign ships bound for this country the same as British ships, they might do something in the way of bringing foreign nations to realise the value of the British regulations. The right hon. Gentleman had determined, in spite of the decision of the Grand Committee upstairs, that that was not the proper policy at the present time, and with the crack of the Party whip he had upset their decision. He was sure that what the right hon. Gentleman desired to do was to bring foreign nations to see eye to eye with ourselves as regarded the safety of human life, and if an international load line could be obtained by that or any other means he himself would be perfectly satisfied with the result in the long run. There was another principle which seemed to underlie this Bill, and that was a desire to secure freedom of the shipping trade from restrictions which would handicap them as against the trade of foreign nations. That principle was embodied in the provision applying our load line regulations to foreign ships. It was a principle which incidentally secured them fair foreign competition, and would rid them of unfair foreign competition. The principle was the basis of the whole policy of tariff reformers, and their one object was to avoid unfair foreign competition. Inasmuch as this principle underlay the provision made by the right hon. Gentleman in this Bill, he might go so far as to say that he hoped some day be would be a convert to the policy of tariff reform. Another principle which he would like to hail with satisfaction was that of retaining British pilots for British ships. This was a question which had agitated the shipping world and the pilot world for some years past, but it had never been taken any notice of until this year. He was exceedingly glad that the right hon. Gentleman, after careful consultation with his advisers, had come to the conclusion that he could safely insert Clause 71, which dealt with this question. He had never been able to understand that in a matter of this kind there could be any reason for granting certificates [to alien pilots, and not giving a preference to our own. Another principle that underlay the Bill to some extent—he only wished that it went further—was that British sailors should be provided so far as possible for British ships. He knew that it was a difficult matter to deal with. He was exceedingly interested to learn from the President of the Board of Trade that he had appointed a Committee to consider the whole question of British seamen for British ships. He hoped that it would have good results. The providing of British sailors would generally mean that more money would have to be expended one way or another on apprentices, and it did not at all appear clear that they would get any better results than they had now; but the subject deserved inquiry. He did not think that the effort to get British sailors for British ships would be advanced by excluding lascars. The House could not get over the fundamental fact that lascars were British citizens. The discouragement or prohibition of them on board our ships would, he thought, seriously injure our trade in competition with that of foreign countries. If they were prohibited, German shipowners would have a chance of employing lascars under favourable circumstances. It appeared to him that, so far as some hon. Members were concerned, their object was really not so much to ensure the comfort of lascars as to prevent their employment on our ships at all. He did not think that would really be denied by the hon. Members who supported the Amendment on this question. That being so, he could only repeat that they were endeavouring to treat British citizens in a way which was not at all justifiable. If the Amendment had been passed, they would have seen the strange spectacle of British subjects being excluded from British ships. He was glad that the proposal was not embodied in the Bill. In regard to the local marine boards, it was difficult to say precisely how the new regulations would actually work. In some respects the legislation on that matter had been rather precipitate. If at the time the Board of Trade circular was issued this Bill had not been passing through the House there might have been a little less heat engendered, and negotiations might have been carried out which would have been more satisfactory to all concerned. He would have been glad if the President of the Board of Trade had seen his way to accept the clause dealing with the limitation of deductions for propelling space. The right hon. Gentleman had recommended that individual ports should bring up private Bills in order to increase the dock charges which they levied. He was not sure that that was a satisfactory conclusion, or even a wise one. Private Bills involved great expense, and he thought a great deal of expense would have been saved in the long run if the question had been dealt with in this Bill. If local ports were to be encouraged to come up with private Bills and to incur all the consequent expense, he thought that was hardly so statesmanlike a way of dealing with the question as the introduction of a clause in this Bill. Generally speaking, he had no hesitation in saying that this was a good Bill. It carried out the recommendations of various Committees appointed by the late Government. It brought much credit to the President of the Board of Trade and to his advisers in and out of the House, who had helped him in drawing up the measure, and he thought it would mark a sustantial step in advance in the history of the British mercantile marine.

Mr. JENKINS (Chatham) said he was glad that the President of the Board of Trade had adhered to one particular clause which it was said he was likely to withdraw. The right hon. Gentleman had emphasised his approval of that clause. He referred to the clause which permitted a seaman to bring into the local marine board offices, when a dispute arose between him and the captain, someone who was in a position to plead his case. He joined with other Members in congratulating the right hon. Gentleman upon the production of this Bill. At the same time he could not approve of deck cargoes at all. He strongly protested in the name of the British public and British seamen against deck cargoes. The deck of a ship was for the crew to perform their daily work and he was of opinion that deck cargoes were extremely dangerous. He was looking forward to the improvements which were to be made in flush-decks. Under present conditions deck cargoes on flush-decks were most dangerous to the seamen. As to the local marine boards, he did not think that their present constitution was altogether satisfactory, and he was glad that the President of the Board of Trade was removing the doubts from the minds of people as to the position occupied by members of these boards. In Cardiff there was already an understanding that the men could come before the shipping office and put their case through a representative. He exceedingly regretted that the recommendations of the Committee which sat in 1897, and whose work was of a very onerous character, had not been embodied in the Bill. He specially referred to the recommendations in regard to ship carpenters. He understood that the right hon. Gentleman the President of the Board of Trade had said that the case for the ship carpenters at sea had not been made out. But he would briefly state a case which had been furnished to him. A ship with a valuable cargo of cotton lost her propeller when 300 miles from the home port, and was drifting about practically helpless. The captain asked the carpenter if he could devise a means by which the ship could be brought to land. The carpenter said he thought he could, and he rigged up an apparatus and connected it with the steam winch, which enabled the ship to reach port safely. Should not that carpenter be highly commended and rewarded for having not only saved a valuable ship and cargo, but also many valuable lives? He hoped the right hon. Gentleman would consider the advisability of considering the reasonable and modest request he had made that this question of sea-going carpenters should be dealt with in this or another measure.

* Mr. STUART (Sunderland) said he was sure that the right hon. Gentleman would be more pleased to get the Third Reading of the Bill than to be praised for his own action. He, however, wished to associate himself with what had been said as to the care and courtesy with which the right hon. Gentleman had conducted the Bill through

its various stages, and especially as to the admirable method which the right hon. Gentleman had introduced of inviting the expression of expert opinion outside as well as inside the House. There was one particular matter which touched many points of great importance, on which he wished to make a few remarks, viz., the question of borrowing money on ships. A ship was different from a house in that it could run away and escape from the mortgagee. He had introduced a clause which had been accepted by the right hon. Gentleman having for its object the improvement of the position of the mortgagee of a ship. It was obviously in the interests not only of the shipbuilder and of the shipowner, but of the sailor that the money employed in the shipping industry should be obtained at as low a rate of interest as possible. His clause, now 52 in the Bill, went to allow a ship to remain on the British register so far as the interest of the mortgagee was concerned so long as she was in a British port, although sold to a foreigner. So far a distinct advantage had been gained. But if the ship were in a foreign port the mortgagee was in the unfortunate position that the claim of the mortgagee was practically gone and at best only enforceable under foreign law. Those who advanced money on ships had to take the risk into consideration. This question had been brought before him by bankers, shipbuilders, shipowners, and others who had strongly urged him to submit it to the House of Commons. He asked the President of the Board of Trade to introduce a clause in the House of Lords that a ship should not be allowed to be transferred to a foreigner from the British register without the consent of the mortgagee.

THE PARLIAMENTARY SECRETARY TO THE BOARD OF TRADE (Mr. KEARLEY, Devonport) thought the House would agree that the exhaustive reply of his right hon. friend had covered all the points raised in the course of the debate, and he appealed to hon. Members to allow the Third Reading of the Bill to be now taken as it was being waited for in another place.

*MR. BARRIE (Londonderry, N.) said that a fuller consideration of the Bill than had been before possible had satisfied the shipping authorities with whom he had been in communication that on the whole the concessions made by the right hon. Gentleman the President of the Board of Trade were acceptable. They were all agreed that the condition of seamen on board British ships should be improved, and that the men should be made more comfortable than they had been in the past. He was not altogether sure that the provision which lessened the term of apprenticeship would secure what was desired. He suggested that the giving of additional privileges to the able-bodied seaman on the one hand, and reducing the period of apprenticeship on the other was not calculated to attract in the future a better class of men to the mercantile marine, of which they were all proud. As to the loss of revenue to harbour authorities which had been alluded to, the whole difficulty which had arisen in recent years had been due to the complicated system of tonnage measurement adopted by Board of Trade officials. A reference had been made as to the preference given to foreign ships, and he thought British shipowners had reason to protest against it. They gave full credit to the President of the Board of Trade for the fair manner in which he had presented this Bill to the House, but he thought they might claim credit for the wholesale way in which he had adopted the recommendations of the Committees appointed by the late Government.

*MR. MORTON (Sutherland), said that he desired to say a few words, and only a few words, with regard to the effect of Clause 54 on the revenue of the Thames Conservancy and similar bodies whose income was mainly dependent on tonnage dues. He very much regretted that part of that income had been taken away by that clause without even a thought being bestowed upon them by the President of the Board of Trade or this House. As the clause stood before it was amended, he roughly calculated that the Thames Conservancy might lose £20,000 per annum, but as the clause had been amended, the loss would be about £2,000 per annum. Why the Conservancy should lose any he could not understand, as all their income went in support of the shipping industry, and in keeping the fairway clear to the shipowners. The President for the Board of Trade said he had to give the shipowners something because he had taken something away from them. It was easy to be generous with other people's money, but it was not a particularly virtuous action. The nett registered tonnage as calculated for the Thames was less than one half the actual tonnage. He hoped that before long such an anomaly would be put an end to, and that they would have the assistance of the Government in amending the existing law at an early date.

Question put, and agreed to.

Bill read the third time, and passed.

CENSUS OF PRODUCTION BILL.

Order for consideration, as amended (by the Standing Committee), read.

*MR. W. PEARCE (Tower Hamlets, Limehouse) moved that the Bill be recommitted. When he examined the Bill for the first time last evening he found that it affected a multitude of persons who would be drawn within the meshes of its net. It was to be expected that such a Bill would apply to factories and workshops and to mines; its schedule so provided in sections (a) and (b), but the inclusion of many small trades in sections (c), (d), (e), and (f) was open to much objection. Unless the Board of Trade were very careful it would cause a lot of irritation to a number of people. These people would come under the powers of the Board of Trade, and no doubt he should be told that the President of the Board of Trade would introduce regulations under which they would not be brought under the Act. He thought, however, without casting any personal reflection, that it was undesirable that such wide powers should be given to the Board of Trade. Legislation by means of exemption could not be recommended. These powers would not be exercised by the President, but by the officials, and might cause a great deal of difficulty and ill will. For an offence against the Act people were liable to be fined £5, and under the Bill a large number of people would be placed at the mercy of the Board of Trade officials. In some cases the penalties would amount to at least £1,500 in one year. He hoped the President of the Board of Trade would withdraw the Bill and bring forward one which would effect the object in a different way.

MR. LIDDELL (Down, W.) seconded the Motion.

Motion made, and Question proposed, "That the Bill be recommitted to a Committee of the Whole House."—(*Mr. Wm. Pearce.*)

MR. LLOYD-GEORGE was understood to complain that the hon. Member had not given him notice of this Motion. He said the hon. Member had assumed that the Bill had been introduced in this autumn session, but had he made the slightest inquiry he would have found that it was introduced early in the session. It was supported by the right hon. Gentleman the Member for West Birmingham and carried without a division. So little opposition was there that the right hon. Gentleman apologised to the House for speaking on a Bill introduced under the Ten Minutes Rule, and excused himself for so doing on the ground that no one else got up to speak. The First and Second Reading stages, which were carried without a division, were taken before the House separated for the summer vacation. Since then in the Grand Committee on Trade the whole of the matters to which the hon. Member had referred had been gone into, besides many others. In that Committee every point was carefully scrutinised by traders, and on most, he believed all, he made concessions. He had never heard anybody get up and say they were not satisfied. He regretted that the hon. Member should have moved to recommit the Bill when all the points he had alluded to could have been dealt with at another stage. If the hon. Member thought he could draft a better Bill or improve this Bill he would have his opportunity on the Report stage. He did not think the recommittal of the measure would be of the slightest use.

SIR FREDERICK BANBURY (City of London) said the right hon. Gentleman had reproved his follower for not having given him notice of this Motion. It was not for him to intervene in a family quarrel, but he would point out that most hon. Members were under the impression that the Plural Voting Bill would be taken to-day, and it was only at the last moment the notice was given that that Bill would not be taken, and that this Bill would be substituted for it. It was, therefore, a little hard that the hon. Member for Limehouse should be taken to task for not having given notice. He had been much surprised to observe that the right hon. Gentleman defended this Bill on the ground that it was approved by the right hon. Gentleman the Member for West Birmingham. The inference to be drawn from that was that as the right hon. Gentleman was doing something which had the approval of the right hon. Gentleman the Member for West Birmingham it was presumption on the part of the hon. Member for Limehouse to move his Motion. He was glad the right hon. Gentleman had changed his opinions and had taken the right hon. Member for West Birmingham for his leader and was going to follow him in matters of trade by bringing in this Bill. He was not against the principle of the Bill, but anyone looking at it would see that it was going to give a great deal of trouble and annoyance to manufacturers and involve them in expense. The questions which had to be answered were of a most inquisitorial character, and were such that many would not care to answer. For instance, one was "What is the net cost of production." He had never been in business himself, but he could quite imagine that many manufacturers would be very loth to answer that question, even if it was to be treated confidentially by the officials of the Board of Trade. The information so given might leak out and injure the person who gave it by enabling his competitors to know what he was doing. However careful the permanent officials might be with regard to these confidental matters, they sometimes leaked out. He was reminded that on occasions even Government Reports, marked "Confidential," got into the hands of those for whom they were not intended, so that it was not beyond the bounds of possibility that, quite innocently on the part of the officials, some of those special secrets that were supplied in this way to the Board of Trade might come out. Under these circumstances he saw no reason why the Bill should not be recommitted. The right hon. Gentleman said that if the hon. Member thought he could improve the Bill he would have an opportunity on Report stage. It was difficult to make improvements on the Report stage, because when an Amendment was brought forward on Report it was usually received with scant courtesy by the House, who did not understand it, whereas in Committee the mover of an Amendment could, after hearing the arguments, rise in his place, point out where the misunderstanding arose, and if it was a reasonable one carry his Amendment. The President of the Board of Trade himself was a great exponent of the merits of debate in Committee. On many occasions when the right hon. Gentleman sat upon the Opposition side of the House, below the gangway, he had been known to rise in Committee and make a speech on an Amendment, and on more than one occasion after hearing the discussion to rise and make a second speech in order to explain the meaning of the first. He thought therefore the right hon. Gentleman ought to have encouraged his follower in this Motion. There was no violent hurry for the Bill. For many years we had been without a census of production in this country; the Bill would not come into force until 1908, so there would be plenty of time to pass it even if it were deferred till next session. As, however, there was going to be very great interference with trade and commerce under this Bill they ought to give the matter every possible consideration before passing it. Every rule and regulation should be carefully weighed and considered by men conversant with the particular trades or businesses which the Bill was going to affect. If this obligation was to be put on the trade and commerce of the country it ought to be very carefully examined, and he therefore trusted the House would support the Motion of his hon. friend. He was glad to see hon. Members opposite were beginning to have the courage of their convictions.

LORD R. CECIL (Marylebone, E.) said he ventured to protest against the tone of the President of the Board of Trade in this matter. The right hon. Gentleman had reproached his hon. friend as though he had taken a course wholely unprecedented and quite unnecessary. He thought in the interests of private Members generally the time had come when a stand should be made against the increasing domination of the Front Bench. In his judgment the Motion was perfectly justified. The Bill was of enormous importance and made an entirely new departure. It was considered upstairs by only a small number of Members, and the details had never been discussed in the House. Indeed, he believed the Second Reading was taken under conditions which prevented any complete discussion of the Bill. It gave enormous powers to a Government Department. It had a great number of detailed provisions, but so far as he understood the Bill—and he had read it with some care—it might be contained in three lines, "The Board of Trade shall take a census of production, and shall do exactly as it likes in taking that census." Almost every clause conferred a power on the Board of Trade to take any action it liked. Undoubtedly the provisions with reference to the taking of the census were of an extremely inquisitorial character. Inquiries were to be addressed to every conceivable class of trader, even to the smallest builder and decorator. Hon. Gentlemen opposite had opposed the suggestion of a religious census on the ground that it was too inquisitorial. That, he admitted, was a matter of conscience, and though he would be the last to say that matters of conscience were not of importance, still, matters of trade were of some importance, too. He thought the Motion for the re committal of this Bill was justifiable, and ought to have been received with greater sympathy and courtesy by the President of the Board of Trade.

SIR GEORGE DOUGHTY (Great Grimsby) appealed to the House not to accede to the Motion. The last Member of the Government who should be lectured was the President of the Board of Trade, because not only in the Merchant Shipping Bill but through all the stages of this measure the right hon. Gentleman had treated every interest with the greatest conceivable courtesy. If ever there was a measure submitted to the House which had been thoroughly examined and sifted it was the present Bill. Every phase of the measure had received the greatest attention. He was very desirous, as a tariff reformer, of seeing the measure carried into law, and he would have thought that hon. Gentlemen who were free-traders would have been equally anxious for its passing. He feared that if they lost the Bill this session they would never get it at all. What they desired to get and what he believed they would succeed in getting by this Bill, was a balance-sheet of the home trade, so that they should know for themselves, on absolutely reliable *data*, whether or not our home trade was suffering from the present fiscal system. Notwithstanding all our prosperity, poverty seemed to be ever on the increase, and this census would enable the country to form an impartial judgment upon the question. He thanked the President of the Board of Trade, who had throughout treated every interest with the greatest care and consideration, for his courage in facing the question. He appealed to the hon. Member opposite to withdraw his Motion. There was no possibility under the Bill, as it stood, of trade secrets being divulged.

*MR. COURTHOPE (Sussex, Rye) said that although possibly the Bill was unnecessarily wide in one or two particulars, yet if it were re-committed there would be no chance of its passing into law this year. From every point of view he thought it was desirable that the Bill should become law. Speaking as one who sat on the Grand Committee which studied the Bill, and which thoroughly discussed this matter, he thought it could be very well dealt with on Report stage. The hon. Member for Limehouse spoke about the fines being too heavy. He would like to point out that a great portion of the members of the Grand Committee considered that the fines were not heavy enough. He did not think there was a single member of that Committee, after carefully considering the question, who came to the conclusion that the fines were too heavy. What would be the use of fining a big manufacturing firm a five pound note for making a false Return? It might be worth their while, under certain circumstances, to pay that fine over and over again rather than make an accurate Return. He did not say these circumstances were likely to occur, but they were conceivable. He thought it right that the maximum fine in a Bill of this kind should be as large as possible. He would also like to point out to the hon. Member for Limehouse that his fears as to disclosures which would cause great inconvenience and loss to traders were quite without foundation. If the hon. Gentleman had studied Clause 9 he would have seen that under the clause advisory committees of manufacturers and other interested persons were to be appointed to draw up the forms to be submitted to the various groups of trades. The Bill provided against any questions being asked which might cause the disclosure of any secrets damaging to the traders concerned. However one looked at this Bill there was nothing in it which could not be adequately dealt with on Report stage, and he hoped the House would reject the Motion.

MR. W. PEARCE asked to be allowed to withdraw his Motion. [Cries of "No."]

*SIR ALBERT SPICER (Hackney, Central) said that as a general principle he approved the Bill. He believed it would be a great acquisition if there were an accurate Return of the home trade of this country. He knew that the Chambers of Commerce had generally approved it, and he almost apologised for raising a question at the eleventh hour; but he would not be just to his convictions if he did not tell the House what was in his mind and possibly on the minds of others. This Bill would not create a difficulty for the large firms with staffs, but he was concerned about the tens of thousands of small producers, to whom he was afraid the Bill in its present shape would be a difficulty and an irritation.

MR. LLOYD-GEORGE pointed out that there was a provision in the Bill with regard to small traders, and, if his hon. friend did not think that provision sufficiently protective, it was open to him to move an Amendment.

*MR. STUART said he saw no reason whatever for the House refusing to assent to the hon. Gentleman's wish to withdraw his Motion for the recommittal of the Bill inasmuch as it was clear the Report Stage could not be got through now that evening, so that there would be time for the consideration of objections, which was what his hon friend's Motion aimed at securing. The greatest amount of care had been taken by the President of the Board of Trade to meet the objections of those who had approached him. It was evident, from the fragmentary debate which had taken place, that there were other points which the right hon. Gentleman would no doubt endeavour to meet. He felt sure that the courtesy and care with which the President of the Board of Trade had received the difficulties put before him, and the manner in which he had endeavoured to solve them, would make hon. Members feel that whatever points were brought forward would be met in a conciliatory manner.

MR. H. H. MARKS (Kent, Thanet) hoped the Bill would not be recommitted, because that course might deprive them of a most valuable measure by which we should be enabled to obtain in the future full and accurate statistics of trade which were of such vital importance to the nation. The ground put forward for recommitting the Bill was that adequate provision had not been made for the protection of trade secrets, but the hon. Member for Grimsby had said that the Committee went fully into that matter, with the result that trade secrets were considered to be sufficiently protected. He joined issue with that contention, because the question was not covered at all by the Bill. He agreed that the exposing of trade secrets by officials was provided for, but they had had conclusive proof recently that important official secrets could be made public by persons other than officials. He hoped that some provision would be made against the disclosure of trade secrets by persons other than officials.

CAPTAIN CRAIG (Down, E.) said he was desirous that this Bill should get through, and he appealed to those Members of the Opposition who had supported the Motion of the hon. Member opposite to withdraw their opposition and allow them to proceed with the discussion of the Bill in detail. The arguments for the recommittal of the measure had entirely disappeard after the speech of the hon. Member for Grimsby.

Question put, and negatived.

SIR GEORGE DOUGHTY moved an Amendment to Clause 1 to provide that the census should be taken annually instead of at such intervals as the President of the Board of Trade for the time being might select. He desired that if they were to have a Return of this sort, it should be thoroughly reliable and effective, and those two points could not be secured except by an annual Return. If the fixing of the period were left in the hands of the President of the Board of Trade, pressure might be brought to bear upon him to have the census taken in a particular year. If they desired to make reliable and accurate comparisons they must have more than one year's Return on which to base their calculations. If they wished to see whether the trade of the country was developing the Return ought to be published year by year. If five years was the period fixed it might show a great inflation of trade, whereas during the succeeding five years the trade might be at the bottom of the scale. Consequently neither of those periods would show the natural development of the trade of the country. If the census Return were taken annually, then they would have just as effective figures in regard to home trade as they had in regard to foreign and colonial trade. He was aware that the objection raised to his proposal was that of expense, but everything that was worth having cost something, and if they were going to make this Return in a shoddy sort of way they had better leave it alone all together. He understood that the Government were prepared to set aside funds for this purpose, and he thought that it would cost very little more to make the Return annually. It would be quite easy for the trader to make an annual Return. Upon the ground of effectiveness and reliability he hoped the Return would be made annually. A Resolution in favour of his proposal was nearly carried in the Committee, and he hoped the President of the Board of Trade would be able to insert in the Bill the words he had suggested.

SIR FREDERICK CAWLEY (Lancashire, Prestwich) seconded the Amendment. He felt that it might be said by his opponents that the President of the Board of Trade had fixed a date for a certain purpose. If an annual Return were made that difficulty would be got over. He also urged that an annual Return would be much simpler for those concerned. Unless some fixed period was put into the Bill he did not think there would be any confidence in the Return.

Amendment proposed—

"In page 1, line 6, to leave out the words 'subsequently at such intervals,' and insert the words 'and each year following.'"—(*Sir George Doughty.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

MR. ASHLEY (Lancashire, Blackpool) said he could not support the Amendment of his hon. friend the Member for Great Grimsby. An annual census would undoubtedly entail very considerable expense. His hon. friend had stated that if they were going to do what was right, they should not allow the expense to stand in the way. But there was a limit to expense, and he thought the Government, and especially one like the present which came in on a cry of economy, should think twice or thrice before it accepted an Amendment of this kind, which would add a substantial sum to the Estimates. He also opposed the proposal to have an annual census on the ground that it would cause a considerable amount of trouble to the permanent officials at the Board of Trade who were extremely hard worked. The community at large must be considered. Although it might not be difficult for firms with large staffs of clerks to furnish Returns annually, this obligation would be hard on small men who would be compelled to spend money in order to get assistance in the preparation of the Returns, and that might be a considerable tax on their profits. He could not agree that a period when the census should be taken should be left to the President of the Board of Trade. He had great confidence in the ability and common sense of the present holder of that office, but this was a matter which would be decided a great deal more by the permanent officials than by the right hon. Gentleman himself, and therefore, before the Bill left the House, they should decide when the census was to take place. He should support the proposal of his hon. friend the Member for Hammersmith that the census should be taken not more frequently than five years since the date of the last census.

MR. CORY (Cornwall, St. Ives) said there had no doubt been considerable opposition to this Bill in the country on the part of people who thought that they might be required to divulge trade secrets, and that the furnishing of Returns might cause a great deal of trouble. He had no doubt that the Amendments which were agreed to in Committee would, so far as these points were concerned, commend the measure in the eyes of the public generally. When people found that the Returns were not so dreadful as they had feared, there would be less objection to making them. It was better that they should have experience of the working of the Act before they determined how often the census should be taken. He opposed the Amendment.

MR. LLOYD-GEORGE said he had much sympathy with the idea of an annual Return, and did not think it would give much trouble to the trader, who, when he knew the census requirements, would keep his books accordingly. The opinion had been privately expressed to him by men of business that this would benefit many people who kept their books rather loosely at present, as it would help them to know how they themselves stood, whether it helped the nation to know how it stood or not. He did not wish the impression to prevail that the Board of Trade would make the census quinquennially. It ought to be taken often enough for purposes of comparison, and not at such intervals as might give them one census at a time of depression and another at a time of great boom. But he opposed the Amendment because he had the Treasury to deal with, and also because it was desirable to see how the census was going to work, and to give the traders time to realise that they were not going to be asked to disclose trade secrets, and that no catastrophe would follow their answers to Government questions. A reasonable demand had been made in Grand Committee by the noble Lord the Member for the Chorley Division of Lancashire, that after the first experiment the House of Commons should have the opportunity of discussing whether the census should be taken at fixed periods. This opportunity could be afforded by placing the sum required for the next census on the Votes. Probably the census would become biennial. If it were made annually, they must have a great body of officials to tabulate and assimilate results. He was, therefore, not hopeful of having an annual Return for the next few years, but he hoped it would be possible to make it more frequent than every five years.

LORD BALCARRES (Lancashire, Chorley) said they were indebted to the right hon. Gentleman for the frank manner in which he had taken them into his confidence. He himself was strongly in favour of the view that whatever period was decided upon should be a fixed period. He would be content with a quinquennial census, but rather than have a census at unfixed periods he would desire an annual one. The President of the Board of Trade had said that it would probably be biennial, and he threw out the suggestion that when the first census and its results had proved to traders and the commercial world that the forms were less inquisitorial than they apparently now anticipated, confidence in the census would be established. The right hon. Gentleman had further suggested that the £60,000 or £70,000, or such other sum as would be required for the census, should be put on the Estimates in order that the House might be able to discuss the subject. The right hon. Gentleman was most anxious to meet the wish of hon. Members on this particular point. What he wanted to point out was that if the necessary sum was placed on the Estimates the responsibility must remain with the Treasury. Moreover, they could not have a sum of £70,000 *in nubibus*. It must really be brought before the House of Commons in a more concrete and orderly form than had been suggested. So far as he was concerned he was satisfied with the assurance of the President of the Board of Trade, but he hoped the right hon. Gentleman quite realised that unless the Government made up its mind on this point, with the sanction of the Treasury, there would be great pressure put on the President of the Board of Trade either to take or to refrain from taking a census. He did not know why his hon. friend behind him connected this question of a census of production with the question of tariff. If that were to be the case, what a serious responsibility would be placed on the President of the Board of Trade if he refused to grant a census in a particular year, because his opponents—whether Liberal or Conservative, Free Traders or Tariff Reformers—would be sure to say "Oh, you are afraid to take a census." That would destroy the public confidence in the census not only of that particular year but of any previous year. His own opinion was that there should be a census at regular stated intervals, so as to avoid pressure being brought to bear on the President of the Board of Trade or attacks being made on his Party.

MR. BRIGG (Yorkshire, W.R., Keighley) said that in the Committee upstairs there was a considerable variety of opinion as to the time when the census should be arranged. In his own opinion there was some advantage in the elasticity of the words in the clause which stated that the census was to be taken from time to time. The idea had been suggested that a census should be taken at different times for different trades.

MR. VICTOR CAVENDISH (Derbyshire, W.) said that the clause read that the census was to be taken from time to time by order of the Treasury. He thought that the plan suggested of a certain sum being placed on the Estimates for a certain period, would not be altogether workable either from the Treasury or the Parliamentary point of view. There were certain Orders which had to lie on the table of the House of Commons for a specified period, and unless objection was taken to them they became law at the end of that period. He thought that that was a method which might be adopted in regard to the census, at any rate for the present until experience had been gained. The right hon. Gentleman might be in a position afterwards to bring in a Bill to fix the term at which the census was to be taken. Personally, he thought a biennial census would be best, but the suggestion he made would leave the question open for the moment.

MR. LLOYD-GEORGE thought there was something in the suggestion which the right hon. Gentleman had made, but he would have to consider the legal effect of it. A real apprehension was that the President of the Board of Trade might be guided by his views on fiscal and other questions, in fixing a particular year in which the census was to be taken. [Cries of "No, no."] Yes, that was a point which had got to be met. An hon. Gentleman had suggested that the President of the Board of Trade should, immediately after the first experiment was made, fix not the date of the next experiment, but the intervals at which the census should be taken in the future, so that the House might have an opportunity of considering further the whole question of how the census was to be made. He trusted that hon. Members would allow this Amendment to be disposed of now.

MR. CHIOZZA MONEY (Paddington, N.) hoped that his right hon. friend would even now, at the eleventh hour, accept the Amendment of the hon. Member for Great Grimsby. What was their object in passing this Bill? Was it merely to ascertain the volume and value of production in a certain year? No, the object was to trace the course of production and the course of trade, and the only way to do that effectually was to have the census taken annually. As a matter of fact, that was already done to a certain extent in some of the most important trades in the country—the iron trade, the cotton trade, and the woollen trade—by the officials connected with the trade associations. He would point out that any other course than an annual census might mislead the country. In the present year trade was booming in this country above that of all other countries; and probably next year trade would be quite as good. But would any Member of the House venture to prophesy what would be the trade of 1908? If only a quinquennial census was taken, the trade of 1908, which might be good or bad, would be compared with that of 1913, which again might be good or bad, and the result might be very misleading. What was wanted was to ascertain correctly whether we were progressing in trade and production. Then we might keep our fingers on the pulses of trade and perhaps put an end to the ridiculous discussion which had been going on for two or three years past. He did not think the Bill went too far; in fact, in his opinion, it did not go far enough.

Motion made, and Question, "That the debate be now adjourned,"—(*Mr. Lloyd-George*), put, and agreed to.

Debate to be resumed to-morrow.

ACCOMMODATION FOR STRANGERS.

*THE FIRST COMMISSIONER OF WORKS (Mr. HARCOURT, Lancashire, Rossendale) moved, "That this House approves of the arrangements made for the accommodation of strangers under the Reporters' gallery." He said he wished first to apologise to the House for any inconvenience they might have suffered from his ill-timed illness. As he was the principal villain of the piece it was well that he should plead to the indictment which had been launched against him. He must plead both "guilty" and "not guilty." He must plead "guilty" to having introduced a certain amount of re-distribution of seats in that House, but probably that would not be sufficient to satisfy some hon. Members. He must however plead "not guilty" to having done this without warning and notice and without the implied authority of the House to make the alteration. This was one of the many provisions that he had made for the convenience of the House, including the change in divisions, lockers, lavatories, and so forth, all of which had been received with favour. All these matters were discussed upon his Estimate in May last, and during that discussion he warned the House as to the changes which he intended to make as regards certain strangers, and he informed the House that he should act in the manner he proposed, unless some protest was made either in the House or to him privately. All that was reported in the Press and also in *Hansard*. He subsequently mentioned his proposed change to many individual Members on both sides of the House, and from no one of them did he receive a word of protest, but from all of them he received approval of what was regarded by them as a commonsense change. But he was told that some of the younger defenders of our ancient Constitution were exercised in their souls and troubled in their sleep as to whether he had violated the traditions of Parliament by introducing strangers above and within what was called the Bar of the House. He would not venture into that arcana of privilege and precedent. The Bar always seemed to him to be the converse of a well-behaved child: it was a thing of which they heard much and saw little. There was an anomaly about the Bar, because hon. Gentlemen sitting on the side Benches, although they were obviously behind the Bar were yet for Parliamentary and speaking purposes within the Bar. He dared say that there were some hon. Members who did not know that the side galleries were within the House for speaking purposes, and yet within his recollection the reporters had been allowed to invade those side galleries although they were within and above the Bar. This had been done without a single protest being uttered. The dark bench behind the Speaker's Chair, affectionately called in the past "The Sleeping Berth," was practically not within the House for speaking purposes, because it was physically or ocularly impossible for Mr. Speaker to call upon any person in that position to address the Chair. He did not know whether Mr. Speaker found it necessary to explore this dark recess with his cocked hat pointing to hon. Members when a "count" was moved. He had taken the action he had done, first because it enabled him to add three seats to the congested district below the gangway, and because it was for the convenience of any Government who occupied the Treasury Bench. It was, he submitted, for the convenience of the majority of the House that this bench should now be set apart for the technical and specialised assistance of Ministers. It was desirable that those expert assistants should be easily available, and that was what his alteration meant. Some hon. Members on the other side, although they thought that the change he had introduced was a good one, considered that his action in carrying it out was autocratic. He was quite prepared to accept any rebuke for his action if it was considered autocratic, but he hoped the House would not reject a good reform simply in order to chastise him. They might censure him or dismiss him in a few months if they would tolerate during that short time his chastened activity. If, however, they now rejected his proposals in regard to this gallery he was sure that they would regret it in the future. He would accept any rebuke in the matter except one based on the ground that he had acted meanly and without warning, and without having acquired what he thought was the assent of the House. He hoped that this explanation on that point would be accepted. He had promised the House that they should have an opportunity of discussing the matter and that was why he had put down this Motion. He would, of course, vote for it, and he hoped that a large majority of the House would support him, but he recognised fully, and the Government recognised, that this was a domestic matter and it was for the House itself to decide it. He would, therefore, leave it an open question and no pressure would be put upon anybody to vote one way or the other, and no Government tellers would be appointed. He did not think he could add anything further in the way of explanation or information, but, as he had said, he left the decision of this important question with confidence to the House.

Motion made, and Question proposed, "That this House approves of the arrangements made for the accommodation of strangers under the Reporters' Gallery."—(*Mr. Harcourt.*)

MR. WILLIAM RUTHERFORD (Liverpool, West Derby) said the Resolution had been very gracefully proposed by the right hon. Gentleman, whom everyone was glad to see amongst them again in restored health, vigour, and ability. The Resolution, however, did not ask for approval of the alterations that had been made under the Members' Gallery. It struck him that the Resolution clearly ought to ask them to approve of the whole of the alterations which the right hon. Gentleman had made, and he took it that if the House was willing to approve of the alterations as a whole the right hon. Gentleman would not be unwilling that they should do so. If the House intended to accept this Resolution, words ought to be inserted to the effect "that no material alteration henceforth shall be made with regard to the seating of this Chamber without the authority of this House being first obtained." It ought to be made clear that the *ex post facto* approval of the House of what had been done, should not create a precedent. The fact that the Motion asked for the approval of the House showed that something had been gained from the right hon. autocrat who had carried out the work. It seemed to him that the House had now to deal with a second-hand Oliver Cromwell, who might in the future not only alter the accommodation for Members but alter the mace or something else. The alteration made involved three separate points. It involved, first, the obstruction of ten seats appropriated to the use of Members of the House; secondly, the introduction of strangers into the House itself; and, thirdly, the obstruction of Members passing through the Aye Lobby. The alteration deprived hon. Members of half the privilege they had always enjoyed through the courtesy of Mr. Speaker and the Sergeant-at-Arms of admitting distinguished strangers to the seats under the gallery of which there used to be eighteen and of which there were now only nine. The ten seats which the right hon. Gentleman had cut off from the House had hitherto been appropriated to the use of Members and had almost always been in use. A low wooden barricade had been erected round them, and a door cut in the wall opening into the Aye Lobby, a piece of which had been railed off to guide strangers into these seats. The railing round these seats was so low that any hon. Member could vault it, and it was possible for an hon. Member to get into the Aye Lobby after the doors were locked by walking up three steps, and vaulting the rail. In fact several Members had entered the Aye Lobby, under those circumstances, in that way. The seats were now appropriated to the use of private secretaries and others who could assist Ministers. During the Plural Voting Bill they were occupied by some wirepullers who no doubt were assisting the right hon. Gentleman.

*MR. HARCOURT: The hon. Member must permit me at once to say there is not the slightest foundation for that statement.

MR. WILLIAM RUTHERFORD expressed his pleasure that the right hon. Gentleman was in a position to contradict that statement.

Mr. BOTTOMLEY (Hackney, S.) rose in his place, and claimed to move, "That the Question be now put," but Mr. SPEAKER withheld his assent, and declined then to put that Question.

MR. WILLIAM RUTHERFORD said the right hon. Gentleman had stated that what he said upon the Estimates with regard to this question would be a justification for what he had done. He (Mr. Rutherford) had looked up the discussion on the Estimates and he found that instead of the right hon. Gentleman's statement being a justification it was quite the contrary. There was no item put down upon the Estimates to provide for this change, and the right hon. Gentleman did not state that he was going to carry out a work for which there was no Vote and no authority. The right hon. Gentleman had said that he would not contemplate the alterations unless they would have the effect of seating twenty people. In the same debate the right hon. Gentleman said—

> "He would be very loth to touch a building which in many ways was perfectly suitable for its purpose."

And he went on to say that the alterations suggested would involve an expenditure of money which must receive Parliamentary sanction. The alterations adumbrated by the right hon. Gentleman were not those carried out, and moreover, there was no Vote taken for any such alterations. His opinion was that this was an obstruction to the Members of the House. According to Erskine May, obstructions to any Members were breaches of privilege, and technically the taking away of these seats and the erection of a barricade were obstructions, and therefore breaches of privilege. If the right hon. Gentleman could take away without authority ten seats, he could logically take away 110. There was authority in the Journals of the year 1887 to show that anything which interfered with any Member's coming to, or going from, or sitting in this House in discharge of his duties, was an obstruction and a breach of privilege. As to the contention that these seats were not in the House, he would reply that no one could remember a period when such was the case. He had been able to find no authority defining the limits of this House itself, but Standing Orders were passed on the 7th March, 1888, and on that date it appeared that the ten seats in question were in the House. How could the Standing Orders be understood, enforced, or obeyed if the House to which they undoubtedly referred was capable of being altered without the consent of the House itself? The authority which made the Standing Orders could alone alter them. The conclusion forced upon him was that in making an unauthorised alteration the Standing Orders had been broken, and a breach of the privilege of Members committed. The remedy was that the right hon. Gentleman should submit to the decision of the House, and he took it that the right hon. Gentleman, by his Motion, intended to do so. But until the authority was given, the right hon. Gentleman should admit that he had committed a breach of the privileges. The excuse that these seats were on the Government side was no reply at all. Regarding the question of introducing strangers above the Bar without authority, Standing Order 89 read as follows—

> "No Member of this House shall presume to bring any stranger into any part of the House or Gallery appropriated to the Members of this House whilst the House or Committee of the Whole House is sitting."

Standing Order 90 dealt with the same subject, which was also referred to on page 335 of Erskine May's book. It was obvious from these that it was never contemplated that strangers should be found in such a position as was now invaded. Regulations did not provide for such a contingency, because it was never in any way contemplated. It was obvious, however, that the right hon. Gentleman had broken Standing Order 89 by presuming to introduce strangers into a part of the House hitherto exclusively reserved for Members. It was very inconvenient to many Members that strangers should be found in that part of the Chamber. During the last few weeks it had been impossible for Members to exchange communications behind Mr. Speaker's Chair, as had been the practice for many years, because observations made there could now be overheard by strangers. Not only was it very inconvenient to Members that strangers should be found in that part of the House, but it was also inconvenient that, to get there, the strangers should have to pass through parts of the building where strangers ought not to be found. These ten seats had been used for many years by tired, elderly, and retiring Members. They could there seek refuge from the heat of debate and the glare of the light. Formerly there were eighteen seats reserved for distinguished strangers and special people, but that number had been reduced to nine. The reduction had taken place at a time when every possible inch in the Chamber was occupied, and hundreds of strangers were being turned away every day. The present was not an opportune time for taking away seats in this House. To summarise his objections they were, first, that ten seats had been taken away, a barricade erected which caused an obstruction in the House, and a breach of privilege committed; secondly, strangers had been introduced above the Bar contrary to the Standing Orders; and, thirdly, half the available space for distinguished strangers under the clock had been taken away unlawfully. Even if this Motion was adopted he thought some supplemental words should be added stating that no further alterations in the arrangements of the House should be made without the consent of the House being sought and obtained in a lawful way.

Mr. DALZIEL (Kirkcaldy Burghs) said there was an acrimonious note throughout the remarks of the last speaker which made it impossible for hon. Members sitting on the Ministerial side of the House to support him. The hon. Member for West Derby had alluded to the First Commissioner of Works as an autocrat in this matter. Although he (Mr. Dalziel) did not approve of the right hon. Gentleman's action, he would be the last person to associate himself with any such suggestion as that. None of the predecessors of the present First Commissioner had in so short a time done more for the comfort of Members, and none were more popular. They saw indications of the new broom in the lockers which had been provided, in the new arrangement for taking divisions, and in almost every corner of the House. But a Minister ought not to assume that a remark made in Committee of Supply, in a small House, and no objection taken, was to be regarded as implying the general consent of the House. He thought it important to guard against the possible action of a Minister who might be tyrannical assuming an authority which the House had not given. Besides assuming that he had the general consent of the House, the only other reason which the right hon. Gentleman gave was that the change would be for the convenience of the Government, and he rightly stated that the Government of the day was practically the House, because the private Member had really ceased to exist. What advantage were the Government to get? The only advantage was that they would be nearer their private secretaries and the heads of departments. He did not think that was a very strong reason, because a Minister ought to be fully acquainted with all the work of his department. In case they wished to consult the leading man in his department on some question brought suddenly without notice, almost every Minister had a private secretary who sat behind him and applauded everything he said. The main duty of a Minister's private secretary used to be to run to the other gallery where the heads of departments sat, and bring back the required information. He did not think that more than three heads of departments would ever be required in the House at the same time, and he would like to know what was going to be done with the other seats. The benches under the gallery were now empty, and the seats were lost to the House. He thought it would have been much wiser if the Resolution they were now considering had been passed before the alteration was made. He would like to know if Members would have the right to go and sit in those seats? If they were still to have that right some of their objections might be met. He thought they were right in protesting against the Government's doing this without the direct authority of the House. He protested against those who were not Members of the House actually sitting amongst the Members. The Motion, no doubt, would be carried, but it would be carried, not on its merits, but because of the popularity of the First Commissioner.

MR. JOHN REDMOND (Waterford) said this was a matter which did not affect any particular Party or section of Members. It was a question which affected the House of Commons as a whole. As one who had been a working Member of the House for a long time he would like to say that he entirely concurred with the remarks made by the hon. Gentleman who had just spoken with reference to the action of the First Commissioner of Works in providing for the convenience of Members. During the twenty-six years he had been a Member of the House he had known no Commissioner of Works who in so short a time had done more for the convenience of Members, and in view of that admitted fact he thought it would have been a graceful recognition of the action of the right hon. Gentleman if those hon. Gentlemen who did not entirely approve of what had been done had abstained from raising the kind of criticism which had been heard this evening. Two grounds of objection had been taken. First of all, it was said that the Commissioner of Works had deprived hon. Members of ten seats. That was manifestly untrue. The First Commissioner of Works had given in exchange for ten seats thirteen seats, and therefore that objection fell to the ground altogether. An hon. Gentleman opposite had stated that his objection was not so much to the fact that a change had been made as to the fact that the Minister who made it had acted without the sanction of the House. The hon. Gentleman said that, if this was condoned, a Tory First Commissioner of Works in the future might say during Committee of Supply that there was not adequate accommodation for distinguished strangers, and if no objection was taken he might during the recess provide more accommodation for distinguished strangers by curtailing the accommodation for Members of the House. What had been done in this case could not be a precedent for that, because the right hon. Gentleman had not curtailed the accommodation for Members of the House. He had as a matter of fact increased the accommodation for Members. The other point was this. It was said that the rights of the House had been invaded because officials belonging to the various Departments who used to be accommodated at one end of the House were now accommodated at the other. That seemed to him an absurdity. If there was any attempt made by any Government or any official improperly to introduce officials or strangers into the House he would be amongst the first to protest. He reminded the House of an occasion when Mr. Speaker Brand introduced into the House a shorthand writer and placed him in the Members' Gallery next to that of the reporters. He did so for the purpose of getting an accurate report of observations made by the Irish Members. The introduction of the shorthand writer was instantly taken notice of by Mr. Parnell, and a strong protest was raised, and notwithstanding the fact that the Irish Party, against whom it was supposed that this action was taken, had in those days few friends in any part of the House, the feeling of the House was so strong that the official was instantly withdrawn. If anything of that kind were attempted now he would be amongst the first to protest against it. But was it not ludicrous to pretend that the private secretary of a Minister or a permanent official brought in to assist his chief in the conduct of debate was violating some great tradition and right of the House when he was transferred from one end of the House to the other? He had on all occasions been ready to support the rights of private Members. The hon. Member for the Kirkcaldy Burghs seemed to think that it was an invasion of the rights of private Members that a Minister should be near a private secretary or an official. He himself was one of the private Members who catechised Ministers, and especially Ministers from Ireland, and he wished that Ministers should be in a position to give him as much information as possible. It was impossible for any Minister to carry in his brain every detail of every matter connected with his Department. He was anxious that a Minister should be in as close touch as could be arranged, without interference with the rights of the House of Commons, with the permanent officials, and manifestly it was much more convenient that Ministers should be able to consult them behind the Speaker's Chair than at the other end of the Chamber. From that point of view, as a private Member, he rejoiced at this change. He entirely objected from the æsthetic point of view, and on other grounds, to an obstruction which had been placed in the entrance to the "Aye" lobby. It was a structure something like a pulpit, and he thought it was entirely unnecessary.

*MR. HARCOURT said there were structural reasons for what had been done. There were ventilating flues which required to be preserved, and therefore it was not possible to make the staircase in the wall.

MR. JOHN REDMOND said he could not follow the explanation. Of course, if there were structural reasons he accepted the statement, but even then the right hon. Gentleman was not bound to build a big door with a big balustrade around the door. It was a great obstruction, and from the æsthetic point of view a great injury to the whole appearance of the Lobby. Speaking generally, he thought the change which had been made was an admirable improvement. He did not think it infringed in the smallest degree any right or privilege of Members. He sincerely hoped that if this Motion went to a division, the House, by an overwhelming majority, would mark its sense of gratitude to the right hon. Gentleman for the many improvements he had made.

SIR A. ACLAND-HOOD (Somersetshire, Wellington) said he wished to say a few words, not from a Party, but from a purely House of Commons point of view. He expressed to the First Commissioner of Works their gratitude for the many improvements he had carried out. Without going into the merits of the question as to whether strangers should be on the bench under the Reporter's Gallery, he thought it would have been better if the sanction of the House had first of all been obtained. The House was very jealous of its privileges, and he was quite certain that if the proposal had been put before the House a most favourable reception would have been given to it. He asked whether the seats referred to were still the property of the Members of the House? He thought they ought to be. He held that every seat in the House should be open to Members in times of pressure, such as was experienced on the Second Reading of the Home Rule Bill of 1893. It would be an infringement of the liberties of Members if on such an occasion permanent officials were to occupy the gallery to the right of the Chair, to the exclusion of Members. How did the officials obtain access to the gallery? Was this a latch-key question? Did they come in at the door behind Mr. Speaker's Chair, or by some other access? If the Government required the assistance of their permanent advisers in carrying their measures, why should not the Opposition be allowed to have seats for their advisers? He was sure the Prime Minister, with his sense of fair play, would give that proposal a business-like consideration. The House of Commons was jealous of its privileges and admired what the right hon. Gentleman the First Commissioner of Works had done for their comfort; but he feared that in this case the right hon. Gentleman was in some sense guilty of poaching first and taking out his license afterwards. The right hon. Gentleman knew quite well what the result would be if he were taken up before a Court of Summary Jurisdiction; he would be punished for poaching, and afterwards by the Chancellor of the Exchequer for not taking out his license. He thought he should vote against the Motion on principle, because the right hon. Gentleman should have taken out his license first. As regarded the future he hoped the Prime Minister would consider his suggestion of giving equality of opportunity to the Opposition as well as to the Government of consulting their advisers.

*MR. HARCOURT said in reply to the right hon. Baronet who asked whether Members would still be able to use the seats in times of pressure, that Members had access to every gallery and a right to sit in any gallery they chose to occupy. He had never considered the suggestion of the right hon. Baronet that Members should have the power of eviction of occupants of the galleries—even of the Peers' gallery—but if the right hon. Baronet thought this likely to be necessary or desirable in the future he would be willing to consult him on the subject. He could assure the right hon. Gentleman that there was no access for private secretaries or permanent officials to this particular gallery by latchkey or except by the ordinary process. As to the suggestion of the right hon. Baronet that the advisers of the Opposition should be accommodated in the gallery he thought that that would be most undesirable.

*VISCOUNT TURNOUR (Sussex, Horsham) said he was one of the humblest and warmest admirers of the right hon. Gentleman, who he hoped would be present in the House for the next thirty years to defend his policy. It seemed to him that the speech of the right hon. Gentleman was more or less made from the Government point of view. One of the objects of the new arrangements was to afford information to Ministers with a minimum of trouble. To that he took no exception. His objection to the alteration made by the First Commissioner of Works was that the right hon. Gentleman had not first obtained the permission of the House. He was not inclined to accept the speech of the right hon. Gentleman as to the utilty or necessity of the changes which had been made. The First Commissioner of Works had said Government legislation was most desired by the House, although that statement was cheered in a very lukewarm way by the supporters of the Government. They had other legislation than Government legislation, and good examples of that were the Land Tenure Bill and the Town Tenants' Bill. He was the last person to say that Ministers should not have communication with their private secretaries or permanent officials. They would save a good deal of foolscap and typewritten papers. But why not go a little further and replace the immaculately dressed row of amateur private secretaries behind Ministers by more useful professional private secretaries?

SIR BRAMPTON GURDON (Norfolk, N.) said that he would have preferred that the House should remain as it was, but he knew that the Front Benches had been very anxious for these alterations. He thought it was not for the dignity of the House that a Minister like the Chancellor of the Exchequer in order to answer a Question should have to walk right down the House in order to get certain figures from the permanent official. He remembered during Lord Palmerston's administration the bitter experience he had of the inconvenience of the old arrangement when he had to be at the call of the Minister to whom he was private secretary. He was very glad, having some recollection of his earlier days, that the officials would have an easier task than they had in times past. Very often the unfortunate private secretary found all the seats under the gallery filled up by the sons of peers. He hoped that the First Commissioner would take steps to secure that the door behind the Speaker's Chair was always open.

*MR. STUART WORTLEY (Sheffield, Hallam) said that one could not but conceive that the Government in putting down this particular Motion at this particular time did so without the intention that it should be seriously discussed or that a full opportunity should be given for that discussion. He thought the House would require in this case, no less than in other cases, what might be called affirmative justification. The right hon. Gentleman, and he did not say this in any invidious sense, took a great advantage of the popularity to which he was born, and which he had won. Amongst other things, the right hon. Gentleman's arrangement of divisions was a stroke of genius, but the arguments in favour of the change in this case had been more of negative than affirmative justification. He agreed that by the new way of taking divisions the right hon. Gentleman had multiplied Members' liberties by three in quantity as well as adding many things most attractive in quality. But they must not be led away by this. The right hon. Gentleman had claimed that he announced the changes in a speech on Supply; but, as a matter of fact, until he saw the changes in material existence he had no idea of the changes that were to be made. It was said that an equivalent had been given. Perhaps, as far as quantity went, Members gained a small advantage; but in the matter of quality there had been no equivalent at all, because in the seats newly given to Members it was difficult to hear debates. But why should the House be in a position of having to ask the value of any equivalent? The solitary reason given for making the change was that it was desirable that Cabinet Ministers' private secretaries should be brought physically nearer in debate. Men quite as great as they got on quite well without such assistance, and if he might refer to his personal experience when in office, he would say that he frequently stood in the most dire need of assistance of this kind. He had also frequently to obtain it for others in circumstances which made it awkward to be seen obtaining it. There were crises in which he had to do without the facts. He did without them. That meant that as regarded the policy of his replies he threw himself back on his own intuition. And whence were these intuitions inspired? They were inspired by the surrounding atmosphere of the House, drawn straight from the pulse of the people. It would shortly mean that permanent officials and private secretaries would become practically actual participants in debate. It was even whispered already that Ministers communicated with their private secretaries telegraphically by looks. On the whole he thought it was better perhaps for Ministers to be able to say on occasion that the information desired was not for the moment within access. Why was this being done? When he entered this House nothing was borne into his mind more than the sanctity of the few places which had been left for the Members behind the Speaker's Chair. He was taught that if there was one space which was a holy of holies it was the space in the lobby behind Mr. Speaker's Chair. This was the holy of holies which was being invaded. ["Oh."] He did not care for the interruptions of hon. Gentlemen who had never had occasion to use that space. This proposal would violate the sanctity which attached to the House and to that part of it, and was in contravention of the spirit of the old regulation that strangers should not be brought within the bar, and that at all events at one end of the House a place should be reserved for Members themselves. The negative reasons that Ministers afforded for what had been done could not, he thought, hold the balance against the practical inconvenience caused to Members.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs) thought the House was to be congratulated and deserved to be commended for the perfectly good-humoured manner in which this question had been discussed. He did not remember another occasion in which the serious business of the House had been interrupted in order to discuss a matter of such relatively small importance as to where strangers might be accommodated with the greatest convenience. The Government, however, had agreed to give an opportunity of discussing this matter, and he was glad that it had been so good-temperedly conducted. There was first of all the question affecting the conduct of his right hon. friend, and whether he was justified in making this change without the express directions of the House. As very few hon. Members were present to listen to his right hon. friend at the beginning of the debate, he might remind the House that his right hon. friend said that if he had transgressed in what he had done, if he had been mistaken in assuming that the silence of the House meant consent when last summer he informed them what he intended to do, he could only express his regret and hope that the censure should fall upon him and that the good thing that he had done would be left unchanged. His right hon. friend was a brave man, and the only feeling he had about this question was that his right hon. friend had a dreadful time before him if he was to keep up in future years the character and reputation which he had achieved for himself during the short time that he had been in office. All those who had been engaged in the transaction of public business in office would agree that it was most inconvenient that the officials who came to assist Ministers in the transaction of business should be placed in the remotest part of the House. Those officials were there to assist a Minister with information of which he was not for the moment in possession—information not for himself, but for the House. Surely it was desirable they should be near at hand to give him assistance. He had often noticed with some degree of amusement a Minister when he found himself without full knowledge of a measure try to invent some way in which he could complacently go to the man who could assist him. He remembered that Sir Michael Hicks Beach, to call him by his old House of Commons name, always walked down the House without any concealment; but he had seen Ministers more modest, or perhaps more conceited, look at their watches and go out with a great air behind Mr. Speaker's chair and re-appear below the bar. It was quite true that Members used to recline on these Benches. He used to watch one Member during the greater part of his Parliamentary life on the other side who would pose himself in a corner after the exciting business was disposed of, divest himself of some article of apparel—his boots, for instance; he did not know that it went any further—put his feet up on the bench, and sleep the sleep of the just. But that was hardly the purpose, he thought, for which they should reserve places. His right hon. friend was the first Minister who had had the courage to make this change. The question was, was it a good thing to do? He was certain the change would commend itself to the House.

MR. A. J. BALFOUR (City of London) said that while painfully conscious of an unusual and embarrassing amount of agreement with the right hon. Gentleman, he was rejoiced to be able at the outset to pick a small quarrel with him, which was more in accordance with his own position and his ordinary function within these walls. He did not agree with the right hon. gentleman that the forcible appropriation of certain benches, considered from time immemorial as belonging to the House, was a subject not eminently worthy of a few hours' discussion, and he was sorry the right hon. Gentleman had used such grudging words in giving the House these few hours. It was unfortunate that these benches had to be given up to another purpose, even although the previous purposes had included sleeping; and he was not sure whether, if all-night sittings were to continue, it might not be part of the future duty of the right hon. Gentleman whose conduct was in question to provide cubicles somewhere in the House where Members might take those moments of necessary repose which were apparently required to enable them to carry on their public duties as auditors of and partakers in debate. Before coming to the essential merits of the question he would ask the right hon. Gentleman the Leader of the House whether he did not think some arrangement might be made by which upon nights when it was not necessary that experts should attend the debates Members might be able to revert to their ancient freehold.

SIR H. CAMPBELL-BANNERMAN said perhaps he might be allowed to answer the point, which was also raised by the right hon. Member for the Wellington Division of Somersetshire, and to say that there was nothing to prevent hon. Members sitting in any of the galleries.

MR. A. J. BALFOUR did not think the observation covered the whole case. He thought it would be regarded by hon. Members as rather a serious infringement of the privileges of the outside public if Members of the House were to occupy at the beginning of the sitting all the benches under the gallery, which were invariably given up to strangers, and all the seats above the clock, which were given up to Ambassadors, Peers, and other distinguished strangers. All that he pleaded for was that the seats under consideration should not be given up when not required by experts for the specific purpose of giving information to the members of the Government. He admitted that the suggestion he had informally thrown out did not touch the main question raised in this debate, which was whether the expert advisers, whom everyone admitted ought to find a place in this House, should be accommodated at the end behind Mr. Speaker's Chair, or under the gallery at the other end. On such a subject it was only natural that those who held office or had held office should hold a different set of opinions from those who were only critics and spectators of the agonies of officials. Personally he took the view that in modern days, when criticism was pressed hard, when it was the recognised business of an Opposition to put the most embarrassing conundrums they could to those who carried on the Government of the country, it was absolutely necessary that Ministers who had to defend Bills or Estimates should be able to obtain in the most convenient form the expert advice which they required. It was not possible for any Minister to be able to answer every Question put to him; and, indeed, he would go further and say that a Minister would not be doing his duty to the country if he were to devote all the hours he could spare from his official business to getting up these small details which did not touch broad questions of policy, although they formed, necessarily and rightly, so large a part of their administrative work. There was then the question of the inconvenience of Ministers in having to go round to the place in which the experts formerly sat.

MR. DALZIEL: They have done it for 700 years.

MR. A. J. BALFOUR said he did not know that Estimates had come before Parliament for that length of time. The hon. Member for Kirkcaldy had said that these things were not required by their forefathers, and asked why should they be required now. His reply to that argument was that the whole character of Parliamentary fighting had altered within living memory, and now it was desirable that the expert advisers of the Government should be available as quickly as possible. Not many years ago the great fights in this House took place chiefly upon Second or Third Readings, but that was changed, and the debates in Committee and on Report now were of a character both in regard to length and strenuousness which was never dreamt of by our grandfathers, and had greatly increased during his own experience of thirty years. He did not see that there was any chance of that tendency diminishing. An Opposition was bound to criticise in detail and put the most embarrassing questions to the Government. He thought the present Government, by adopting Bills which they had not framed, had augmented the difficulties. The expert advisers had to advise on something which they did not do and never contemplated doing, and he was informed, though he had not seen it himself, that there had been signs, Marconi telegrams, passing between the front bench and the technical advisers under the gallery which he did not think ought to be allowed. It ought to be understood that no gesticulations, no indications of approval or disapproval, ought to be conveyed from the gallery of the House. He believed his right hon. friend the late Home Secretary, the predecessor of the present First Commissioner, always desired to see the change in question or something of the kind carried out. When the right hon. Gentleman spoke to him privately about it, he said he thought it a change for the better so far as Government interests were concerned, and it was for the advantage of everybody that Government business should be properly carried out. It was for the advantage of everybody that the Government of the day should do their work well, and it was very difficult indeed to do Government work well. It was very laborious, involved great responsibility, and an immense amount of detail which was never known to the public. It was not the work in this House which wore out Ministers, but the work they had to do outside the House. When he remembered how severe was the criticism of every Opposition, and bearing in mind the strain and difficulties of modern legislation and administration, he thought the responsible Minister was entitled in common fairness to every advantage he could have. On that broad ground he thought the right hon. Gentleman was justified in carrying out this change, and he did not really know whether his methods were open to criticism or not. The only question he touched upon was the broad question whether they should or should not give to the Minister in charge of the Estimates or the Minister conducting a difficult Bill through Committee or through the Report stage all the assistance he was entitled to and had a right to ask for. He could not vote against the right hon. Gentleman, or express a condemnation he did not feel for action which, whether carried out in the best way or not, was in its main lines for the advantage, not of one

Party or another, but of the conduct of business as a whole.

*MR. ATHERLEY-JONES (Durham N.W.) said he would make no apology for saying a few words on this matter, as an old Member of the House. He felt deeply on the subject, and he believed that feeling was shared by a large majority of the old Members on both sides. Although the Motion of his right hon. friend would probably be carried, he was convinced that the decision would not be approved by the mature judgment of the House. He concurred in the expressions of gratitude which had been expressed on both sides of the House for the services which had been rendered to the House by the First Commissioner of Works. He felt that in the matter they were now discussing the right hon. Gentleman had acted with an honest and sincere desire to serve the interests not only of the Government, but of the House at large. The Leader of the Opposition had exposed the proposal to a most merciless analysis. He entirely agreed with the right hon. Gentleman that nothing could be more objectionable than that there should be any kind of signalling arrangement between the front bench and the gallery where the officials were accommodated. But of what value then would be the change? Nothing more than that a Minister instead of having to walk fifteen yards to one gallery would only have to walk five yards to the other gallery, the saving of time resulting from the new arrangement being about twenty seconds. The Prime Minister had pointed out how exceedingly inconvenient the former arrangement was when Ministers had to consult officials on questions of detail. He would ask the right hon. Gentleman whether in his long experience of the House he could point to a single instance where the House, the Government, or the country had suffered thereby from the lack of assistance from the permanent officials? On the contrary, there had been occasions—and recently there was one very notable instance—where Ministers had suffered from too large an amount of assistance from permanent officials. The recent instance to which he referred had been the subject of severe animadversions. He believed the real cause of the change was that some subordinate Members of the Government felt a certain amount of shame when they were seen walking down the House to consult officials. Every Minister who had not got up his facts had to consult the officials at the other end of the House, and the late Mr. Gladstone, the greatest Parliamentarian that ever lived, held the view that there was nothing more subversive of the interests of Ministers than that the permanent officials should have been brought to the end of the House. He really was unable to conceive how it could be in the interest of the independence of the House that they should have permanent officials *en evidence* to the extent proposed. In France there was a system whereby the permanent official was allowed to come into the *Chambre* and state his views on a Bill proposed by a Minister. The proposal now under consideration was a step in the direction of the permanent officials discharging the duties of the Ministry. The protection of the British people against the bureaucracy of the permanent officials was the purpose of the House of Commons. The space proposed to be given for the accommodation of officials belonged to Members. He could conceive no more justification for placing the permanent officials in that place than for placing them in the seats immediately behind the Treasury Bench. He had a great regard for the interests and the dignity of this Assembly. He wanted to point out that there was an unnecessary amount of space given to these benches. He had ample authority for the statement that it was not the officials who were in attendance on Ministers who filled the seats, but their friends. There was no occasion for permanent officials to be present in the House that night, unless those who had a personal interest in the matter. He had no doubt in his own mind that these seats would be used for other purposes. [Laughter and cries of "Vote."] His friends made merry about Members making use of the seats for the purpose of slumber when they were weary, but he was bound to say that he had seen right hon. and hon. Gentlemen on both the Front Benches asleep, and he saw no reason why Members, who had often to sit up so long, should not avail themselves of the comparative obscurity of that part of the House for a gentle doze. He knew that many hon. Members would vote for the Motion out of personal respect for the right hon. Gentleman, but he felt he held a higher duty to the House than to support a Minister out of personal respect. He trusted that the Motion would be rejected without involving the slightest slur on the right hon. Gentleman who was no doubt animated by the sole desire to serve the interests of the House and the country.

*Mr BYLES (Salford. N.) said he was very loath to give a silent vote on this occasion. It might seem rash that after the Prime Minister, the Leader of the Opposition and the Leader of the Irish Party had expressed their views on this matter, he should say anything about it. But he wanted to recall to the memory of the House that the First Commissioner of Works had told them that there was to be an open vote on the Motion. The First Commissioner of Works seemed to think that some hon. Members wished to chastise him, and it was because of that that he wished to say a few words. He thanked the right hon. Gentleman for the comforts that he had conferred on Members of the House, and he regretted very much that he should be compelled to vote against him. However, he was not one who walked out of the House when the division bell was rung. He always voted "Aye" or "No." They were always complaining that this House was not big enough for the number of Members, and that there were fewer seats than the number of Members. Yet the right hon. Gentleman had reduced the number. He did not mean seats where Members could sit, but seats from which Members who had won their position at the general election had a right to address the House. His second objection to the new gallery was that it was far too near that portion of the House where important conversations and negotiations which ought not to be overheard took place. Of course they had all heard of the right hon. Gentlemen who quarrelled across the table and then went and made bargains behind the Speaker's Chair. He did not think that those arrangements should be overheard in the House. It had also been suggested by the Leader of the Opposition that signs might pass, and it was easy to see how this sort of prompter's box might lend itself to communications not quite legitimate, and that assistance might be rendered which ought not to be. The change had been made with the best intentions and with the most absolute belief that it had the authority of the House, but he hoped the House would come to the conclusion that the change was made without its authority. He thought the sanction of the House should first have been obtained in a formal manner, and on that ground and because he did not think that the change was an advantage, he should go into the lobby against his right hon. friend.

*Mr. HARCOURT said that the Government thoroughly agreed with the views expressed by the Leader of the Opposition that the seats should only be used by officials in the ordinary sense of the word, assisting Ministers when they were wanted, but that at other times they should be available for Members when the officials were not needed.

Question put.

The House divided: — Ayes, 275; Noes, 63. (Division List No. 432).

AYES

Agnew, George William
Allen, A.Acland(Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A.(Finsbury, E.)
Balfour, Rt.Hn.A.J.(CityLond.
Baring, Godfrey (Isle of Wight)
Barlow, Percy (Bedford)
Barnard, E. B.
Beale, W. P.
Beaumont,Hn.W.C.B.(Hexham
Beck, A. Cecil
Bellairs, Carlyon
Benn, Sir J.Williams(Devonp't
Benn,W.(T'w'r Hamlets,S.Geo.
Berridge, H. T. D.
Bertram, Julius
Bethell, SirJ.H.(Essex,Romf'rd
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Bottomley, Horatio
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Brocklehurst, W. B.
Brodie, H. C.
Brunner, J.F.L.(Lancs., Leigh)
Bryce, Rt.Hn.James(Aberdeen
Bull, Sir William James
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Butcher, Samuel Henry
Buxton, Rt. Hn. Sydney Chas.
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Cavendish, Rt.Hn.Victor,C. W.
Cawley, Sir Frederick
Cecil, Evelyn (Aston Manor)
Chance, Frederick William
Cherry, Rt. Hon. R. R.
Clancy, John Joseph
Clough, William
Coats, SirT.Glen(Renfrew, W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Condon, Thomas Joseph
Cooper, G. J.
Corbett, CH.(Sussex,E.Grinst'd
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Cremer, William Randal
Crombie, John William
Crosfield, A. H.
Crossley, William J.
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Delany, William
Dickinson,W.H.(St. Pancras, N.
Dickson-Poynder, Sir John P.
Dillon, John
Donelan, Captain A.
Duncan, J. H. (York, Otley)
Duncan,Robert (Lanark,Govan
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Evans, Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Fowler, Rt. Hon. Sir Henry
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt.Hn.HerbertJohn
Glendinning, R. G.
Goddard, Daniel Ford
Grant, Corrie
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Gywnn, Stephen Lucius
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt, Rt. Hon. Lewis
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Hedges, A. Paget
Henderson, J.M.(Aberdeen,W.)
Herbert, Col. Ivor (Mon., S.)
Hervey, F.W.F.(Bury,S.Edm'd
Higham, John Sharp
Hobart, Sir Robert
Hogan, Michael
Holden, E. Hopkinson
Holland, Sir William Henry
Hooper, A. G.
Hope,W.Bateman(Somerset,N.
Horniman, Emslie John
Hudson, Walter
Idris, T. H. W.
Isaacs, Rufus Daniel
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kelley, George D.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Francis
Leese, SirJosephF. (Accrington)
Lehmann, R. C.
Lever, A.Levy(Essex, Harwich
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lyell, Charles Henry
Lynch, H. B.
Lyttelton, Rt. Hon. Alfred
Mackarness, Frederic C.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Kenna, Reginald
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Maddison, Frederick
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G.Croydon(Launceston)
Marnham, F. J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Mond, A.
Montagu, E. S.
Mooney, J. J.
Morpeth, Viscount
Morton, Alpheus Cleophas
Murnaghan, George
Murray, James

Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearson, Sir W. D. (Colchester)
Pease, J. A. (Saffron Walden)
Philipps, Owen C. (Pembroke)
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Robert John (Norfolk, E.)
Priestley, W.E.B.(Bradford, E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, Thos. (W. Monm'th)
Richards, T. F. (Wolverh'mpt'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, Chas. H. (Lincoln)
Roberts, S. (Sheffield, Ecclesall
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Scott, A. H. (Ashton underLyne
Seaverns, J. H.
Seddon, J.
Shackleton, David James
Shaw, Rt. Hon. T. (Hawick, B.
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.
Steadman, W. C.
Stewart, Halley (Greenock)
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Taylor, Austin (East Toxteth)
Taylor John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, Sir Edward(Salisbury)
Thomas, David Alfred(Merthyr)
Tomkinson, James
Torrance, Sir A. M.
Verney, F. W.
Wadsworth, J.
Walrond, Hon. Lionel
Walters, John Tudor
Walton, SirJohn L.(Leeds, S.)
Ward, John (Stoke upon Trent)
Ward, W.Dudley(Southampt'n
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whiteley, George (York, W.R.)
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Young, Samuel

Tellers for the Ayes—Sir Brampton Gurdon and Mr. Paul.

NOES.

Acland-Hood, Rt.Hn.SirAlex.F
Anson, Sir William Reynell
Anstruther-Gray, Major
Ashley, W. W.
Atherley-Jones, L.
Balcarres, Lord
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.
Beach, Hn. Michael HughHicks
Bowles, G. Stewart
Bridgeman, W. Clive
Burke, E. Haviland-
Byles, William Pollard
Carlile, E. Hildred
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Lord John P. Joicey-
Channing, Sir Francis Allston
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Captain Jas. (Down, E.)
Craik, Sir Henry
Dalziel, James Henry
Doughty, Sir George
Fell, Arthur
Fetherstonhaugh, Godfrey
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Gibbs, G. A. (Bristol, West)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hill, Sir Clement (Shrewsbury)
Hunt, Rowland
Kekewich, Sir George
Keswick, William
Lea, HughCecil(St.Pancras, E.)
Liddell, Henry
Lonsdale, John Brownlee
MacIver, David (Liverpool)
Marks, H. H. (Kent)
Moore, William
Morgan, J.Lloyd (Carmarthen)
Nicholson, Wm.G.(Petersfield)
Pease, HerbertPike(Darlington
Percy, Earl
Pickersgill, Edward Hare
Randles, Sir John Scurrah
Rawlinson, JohnFrederickPeel
Smith, AbelH, (Hertford, East)
Talbot, Lord E. (Chichester)
Talbot, Rt.Hn.J.G.(Oxf'dUniv
Thomson, W.Mitchell-(Lanark)
Turnour, Viscount
Valentia, Viscount
Vincent, Col. Sir C. E. Howard
Watt, H. Anderson
Wortley, Rt. Hon. C. B. Stuart-
Younger, George

Tellers for the Noes—Mr. Watson Rutherford and Mr. Claude Hay.

Resolved, "That this House approves of the arrangements made for the accommodation of strangers under the Reporters' Gallery."

Whereupon Mr. Speaker adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at six minutes after Eleven o'clock.

HOUSE OF COMMONS.

Friday, 23rd November, 1906.

The House met at Twelve of the Clock.

PRIVATE BILL BUSINESS.

Edinburgh Corporation (Superannuation) Order Confirmation Bill, read the third time, and passed.

PETITIONS.

EDUCATION (PROVISION OF MEALS) BILL.

Petition from Edinburgh, against extension to Scotland; to lie upon the Table.

PARLIAMENTARY FRANCHISE.

Petition from Sevenoaks, for extension to women; to lie upon the Table.

RETURNS, REPORTS, ETC.

INCLOSURES (COUNTY OF GLOUCESTER).

Return [presented 22nd November] to be printed. [No. 359.]

INCLOSURES (COUNTY OF CUMBERLAND.)

Return [presented 22nd November] to be printed. [No. 360.]

INCLOSURES (COUNTY OF NORFOLK).

Return [presented 22nd November] to be printed. [No. 361.]

INCLOSURES (COUNTY OF SUFFOLK).

Return [presented 22nd November] to be printed. [No. 362.]

INCLOSURES (COUNTY OF KENT).

Return [presented 22nd November] to be printed. [No. 363.]

INCLOSURES (COUNTY OF SURREY).

Return [presented 22nd November] to be printed. [No. 364.]

POLICE (ENGLAND AND WALES).

Copy presented, of Return relative to the Appointment of Matrons at Police Stations and Police Courts [by Command]; to lie upon the Table.

ARMY.

Copy presented, of Report of the War Office Committee on Promotion to Colonel and General [by Command]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Wood Imports into Ireland—Reafforestation Scheme.

Mr. FFRENCH (Wexford, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the value of imports of wood in Ireland exceed the value of the exports by upwards of 1½ millions of money; whether the Board of Agriculture have formulated a scheme for reafforesting Ireland; and whether the mountain of Forth, South Wexford, is included in that scheme.

(*Answered by Mr. Bryce.*) The Answer to the first part of the Question is in the affirmative. The Department have not formulated a scheme for the reafforestation of Ireland, nor have they at present in contemplation the planting of trees on the mountain of Forth. The funds at the disposal of the Department do not admit of any large extension of their forestry operations. A school for the training of woodmen has been established at Avondale, county Wicklow, in connection with which planting is being conducted on a large scale. Assistance is afforded to persons who desire advice as to the formation of plantations or the management of existing woods, by placing at their disposal the services of the forestry expert, on payment of a fee towards the expenses incurred in connection with his inspections.

The Fife Royal Garrison Artillery Militia.

Major ANSTRUTHER-GRAY (St. Andrews Burghs): To ask the Secretary of State for War if he can furnish any information as to the intentions of the War Office with regard to the Fife Royal Garrison Artillery Militia; and whether it is intended to remove their headquarters from the county town.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

(*Answered by Mr. Secretary Haldane.*) I am not in a position to make any statement at present with reference to any individual unit, but I may say that there is no general intention of removing corps of Royal Garrison Artillery (Militia) from their present headquarters.

New Cavalry Sword.

MAJOR ANSTRUTHER-GRAY: To ask the Secretary of State for War whether a pattern for the new cavalry sword has yet been decided.

(*Answered by Mr. Secretary Haldane.*) No, Sir; the matter is now under consideration.

Cavalry Regiment at Piershill Barracks, Edinburgh.

MR. GIBBS (Bristol, W.): To ask the Secretary of State for War whether it is proposed to station a cavalry regiment at Piershill, Edinburgh, after the barracks there have been put into a satisfactory state of repair.

(*Answered by Mr. Secretary Haldane.*) I have nothing to add to the replies I made yesterday to Questions on this subject put by the hon. Members for North West Lanark and East Edinburgh.†

State of Recruiting.

MR. F. E. SMITH (Liverpool, Walton): To ask the Secretary of State for War what number of men left the Colours during the twelve months ending 30th September, 1905; what was the number of approved recruits during the same period; and what is the estimated difference between the numbers joining and leaving the Colours for the year ending 30th September, 1907.

(*Answered by Mr. Secretary Haldane.*) The Answers to the first two paragraphs of this Question will be found on pages 44–45 of the General Annual Report on the British Army [Cd. 2696]. As regards the final paragraph, I can only say that the answer will depend on the state of the recruiting market and the policy adopted regarding the British establishment. No estimate, therefore, can be given at the present time; but I may add that recruiting up to the present is very good, and has every prospect of continuing so.

Geography and Diplomatic and Foreign Office Entrance Examinations.

SIR C. HILL (Shrewsbury): To ask the Secretary of State for Foreign Affairs whether the Civil Service Commissioners have decided to omit geography from all Diplomatic and Foreign Office Entrance Examinations; and, if so, what reasons have been given for such a course, and whether it has met with his approval.

(*Answered by Secretary Sir Edward Grey.*) The new regulations were adopted in order to attract men of general education, who might preferably have taken honours at the university in classics, history, or mathematics; and, although a knowledge of geography is no doubt very useful, it is a subject with which men of general education are generally acquainted, and which is easily acquired after entry into the service.

Illegal Trawling in the Moray Firth.

SIR ARTHUR BIGNOLD (Wick Burghs): To ask the Secretary for Scotland whether he is aware that British trawlers, registered under a foreign flag, are trawling within the Moray Firth, contrary to the order of the Fishery Board for Scotland; whether masters of fishery cruisers and other police vessels have instructions to arrest or report vessels found trawling in these waters; and whether it is contemplated to prosecute those so reported.

(*Answered by Mr. Sinclair.*) I am aware that certain vessels sailing under the Norwegian flag have been recently trawling in the Moray Firth. Instructions have been issued to cruisers on fishery duty to report vessels found trawling in these waters with a view to prosecution.

Royal Irish Constabulary Force Fund.

MR. J. P. NANNETTI (Dublin, College Green): To ask the Chief Secretary to the Lord-Lieutenant of Ireland what is the annual income of the Royal Irish Constabulary Force Fund for the past five years; whether county inspectors and district inspectors are included in the number stated to be subscribing members; and in what position does the fund stand now as regards its being wound up.

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† See Col, 817-8.

(*Answered by Mr. Bryce.*) The hon. Member will find in Parliamentary Return, No. 301, of 1905, full particulars of the receipts into and payments out of the Constabulary Force Fund for each year from 1891–2 to 1904–5. County and district inspectors are included in the numbers of subscribers. In reply to the concluding inquiry of the Question, I beg to refer to my Answer to the Question of the hon. Member for South Sligo on 19th instant.† That Answer fully states the present position in respect of the winding-up of the fund.

Commissioners of Charitable Donations and Bequests in Ireland.

MR. GLENDINNING (Antrim, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland who are the present Commissioners of Charitable Donations and Bequests in Ireland, whose offices are at 2, Kildare Place, Dublin; and whether he can state the number of applications for advice under the Act for the past twelve months, the number of cases advised upon, and the ground upon which the Commissioners declined to advise in cases where advice was not given.

(*Answered by Mr. Bryce.*) The present Commissioners of Charitable Donations and Bequests in Ireland are:—The Hon. the Master of the Rolls, The Right Hon. the Lord Chief Baron, *ex officio*; His Honour Judge Carton, K.C.; The Right Hon. H. E. Chatterton; H. P. Goodbody, Esq.; The Right Hon. Mr. Justice Johnson; His Grace the Most Rev. W. J. Walsh, D.D., Archbishop of Dublin; C. Kennedy, Esq., J.P.; The Right Hon. Mr. Justice Ross; Very Rev. J. H. Bernard, D.D., Dean of St. Patricks; The Hon. Mr. Justice Fitzgerald; F. C. Pilkington, Esq., J.P., D.L.; The Most Rev. Dr. Donnelly, Bishop of Canea. The Commissioners inform me that during the past twelve months six applications were made to them for their opinion or advice under s. 2 of 30 and 31 Vic., c. 54. The Commissioners advised upon two of these cases, but, in the exercise of the discretion conferred upon them by the section quoted, they did not consider it expedient to give any opinion or advice in the remaining four cases.

German Government Ordnance Factories.

MR. BELLAIRS (Lynn Regis): To ask the Secretary of State for War whether he is aware that the practice of the German War Department is to order all their guns and gun mountings from private establishments, and that such Government orders are an important factor in competition by securing foreign orders as well to the firms in question; whether there is any Government establishment for manufacture of war material approaching the 17,000 men employed at Woolwich; and whether he can give the approximate figure of the largest establishment.

(*Answered by Mr. Secretary Haldane.*) I am aware that the main sources from which the German War Department obtain guns and gun mountings are private establishments. Other countries deal with them as I believe they do with private firms in this country. I am informed that the largest of the Government factories for the production of war material in Germany is at Spandau, and that, so far as is known, the number of workmen employed there is 6,300.

Case of John Gillan, late 1st Battalion Royal Irish Regiment.

MR. J. P. FARRELL (Longford. N.): To ask the Secretary of State for War whether his attention has been called to the case of John Gillan, No. 999, 6th Company, 1st Battalion, Royal Irish Regiment, who enlisted in said regiment in 1882, and was discharged in 1885, after a service of two years and four months in India, where he contracted disease after serving at Meerut, Landore, and Umballagh; whether he is aware that this man is now wholly unable to obtain a livelihood owing to failing health and advancing years; and will he direct that a small pension be granted to him.

(*Answered by Mr. Secretary Haldane.*) This man was discharged after a service of two years 265 days only, on account of valvular disease of the heart. The Commissioners of Chelsea Hospital, after a careful consideration of the case, decided that Gillan was not entitled to any pension. He rendered no war service.

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† See Col., 370.

Case of Joseph Rhatigan, late Royal Engineers.

MR. J. P. FARRELL: To ask the Secretary of State for War whether his attention has been called to the case of Joseph Rhatigan, of the 14th Company Royal Engineers, who was attested at Clonmel on the 14th May, 1904, and discharged at Clones on the 16th July, 1906, as medically unfit for further service, after a service of two years and 59 days; whether he is aware that Rhatigan, in the discharge of his duties contracted tubercle of the lung which led to his discharge; whether it is customary that in such circumstances a gratuity of some kind would be given to this man, to enable his parents, who are poor people, to bear the cost of his illness and have him properly medically attended to; and will he now direct that this man's case be reconsidered and a grant made to him to enable his parents to send him to a sanatorium, and thus give him the only chance for his life he can get, having regard to the nature of his ailment.

(*Answered by Mr. Secretary Haldane.*) This man was discharged after the service stated in consequence of tubercle of the lung, which, according to the medical authorities, was not caused by his service as a soldier. Under these circumstances the Commissioners of Chelsea Hospital decided that Rhatigan was not entitled to a pension from Army funds. The regulations preclude the grant of any gratuity to him other than that referred to in Article 1123 (ii), Pay Warrant.

QUESTION IN THE HOUSE.

Tenants of Hortlandson, County Kildare.

MR. JOHN O'CONNOR (Kildare, N.): I beg to ask the Chief Secretary to the Lord Lieutenant of Ireland whether any negotiations are going on between the Estates Commissioners and the tenants of Hortlandson, the Horts estate, Kilcock, county Kildare; whether the tenants are twenty-three in number and have offered a price for their farms, that is to say, twenty-one years purchase of the rental, provided that certain untenanted land on the estate was divided amongst them at the price of twenty-four years purchase of the rental; has an inspector been sent by the Commissioners to inspect and report upon the property; was he during his visit driven over the estate in his own trap by the eleven months holder of the said untenanted land; has the said eleven months holder offered a large price for the untenanted land; will the tenants continue their offer of purchase if the untenanted land is withdrawn from the subject matter of the bargain; have the tenants represented that the Report of the inspector is inaccurate in many important respects; and will another inspection be ordered and the tenants asked to state their opinions on disputed points.

THE ATTORNEY-GENERAL FOR IRELAND (Mr. CHERRY, Liverpool, Exchange): I am sorry that I cannot answer the hon. Gentleman in the absence of the Chief Secretary.

MR. JOHN O'CONNOR: Will the Chief Secretary be in his place to-day?

MR. CHERRY: I think he will be here some time later in the day.

ADJOURNMENT.

Resolved, That this House, at its rising this day, do adjourn till Monday next.—(*Mr. Whiteley.*)

LAND TENURE BILL.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

*SIR HENRY KIMBER (Wandsworth) moved the rejection of the Bill on two grounds, namely, that it destroyed freedom of contract between grown persons in dealing with their own affairs, and altered contracts freely made, at the instance of one party only and against the other. The Bill had a peculiar history. It was not originally brought in by the Government, but by a private Member who was no longer a Member of the House. It had been adopted by the Government with the very laudable intention of pleasing a certain body of their supporters in the country whose support they wished to secure. On being introduced it was entitled a Bill relating to the tenure of land. It was very curious that from one end of the Bill to the other there was not a single clause or sentence that affected the tenure of land at all. The tenure of land after this Bill passed would be precisely the same as before. It was true that it affected the right of a man to do what he chose with his own, or what he chose to agree with any other person to do in regard to the land. The Bill did not allow a man to be bound by what he had agreed to. The preamble of the measure was singular. It originally stated that it was—

> "In the interest of good husbandry that better security should be made for the capital and labour invested by tenants in the cultivation of the soil."

It stopped there, but since the Bill was adopted by the Government these words had been added—

> "But consistently with the interests of the rural labouring classes and of the community generally in such investment."

Why these words had been added they would, perhaps, see later on. One of the things which he wished to do was to ascertain what was the mind of the Government in fathering the Bill, for this description in the preamble had no relation whatever to any of the objects which the Bill endeavoured to effect. He found that outside the House there was a very vague idea of what the Bill proposed to do. When he had explained to men of business the nature of what was proposed to be enacted by the Bill he was met with incredulity. They would not believe that the House of Commons even of the present day would be capable of passing a Bill which went to the root of every business transaction between man and man. He therefore proposed to state what it was that the Bill effectively proposed to do. There was no mention of the labouring classes throughout the Bill, but it proposed to alter the arrangements between landlord and tenant in five distinct particulars. The first was as to damage to crops by game. It was provided in the Bill that any agreement between landlord and tenant by which damage to crops by game was met and allowed for should not hold good if it turned out that the contract, freely made as to what the parties considered fair, was disadvantageous to one of the parties. If it was disadvantageous to the tenant, he was to be at liberty to alter it and to claim compensation, but if it was disadvantageous to the landlord by his having agreed to give more than was necessary to pay for the damage done, he was not to be indemnified. It was provided that, even if the landlord proved that in fixing the rent allowance was made for any damage that might be expected to be done—and it was always provided for in his experience—the matter must be referred to arbitration, and the arbitrator was to be allowed to deduct what had been provided for in the agreement and to give compensation to the tenant. But if the damage was less than the allowance made under the agreement the landlord was to get no relief. The next innovation was that under farm leases the tenant was no longer bound by his own covenant as to the course of cropping. What was known, for instance, as the four-course system in Norfolk a tenant was to be at liberty to abrogate, even if he had deliberately by his contract agreed to carry out that system. The covenant to follow that system would not be inserted in the lease except for the fact that, as the result of long experience, owners and tenants had found that it was best for the land itself, and for the production to be obtained from it. The next innovation was as to compensation for unreasonable disturbance. He undertook to say that the clause dealing with that matter was to most people unintelligible, and certainly if it went before the Courts of law they would say that it was crowded in every line with ambiguity. If he rightly understood the learned Solicitor-General for Scotland, the clause was not intended in any way to break, or to enable a tenant to break, an existing tenancy agreement. If that was so, it meant that an existing tenancy agreement was to run out, and yet the tenant was to be at liberty to claim compensation for expenses of removal which was called unreasonable disturbance, even although the agreement was at an end. There was no criterion laid down as to what was to be "unreasonable disturbance." It was presumed in the clause that a tenant might be unreasonably disturbed, although the landlord had conformed to the terms of the agreement. He was also to be compensated if the landlord refused a renewal of the lease. There was, therefore, a new term imported into the agreement which had actually expired, and the tenant was to be at liberty to recover compensation for breach of that which had never been agreed to be given to him. There was yet another innovation. The Agricultural Holdings Act of 1883 was amended by providing that, notwithstanding any agreement between landlord and tenant, differences between them should be referred to one arbitrator instead of two arbitrators and an umpire. That was, perhaps, a minor matter of machinery, but if landlord and tenant thought it was better to have two arbitrators and an umpire, why was their liberty of action to be taken away? The five points which he had mentioned did not affect the general community at all, but landowners and tenants, the parties principally concerned in agricultural holdings, were to be prohibited from coming to any agreement they chose in the light of their experience. Why should any contract between any two persons be voided? It had been for centuries a principle of our jurisprudence lying at the very foundation of justice that a contract between any two persons, provided that it did not injure a third person or the community generally, should be carried out. What use was it to establish courts for the administration of justice unless it was to see that persons entering into bargains fulfilled their bargains? He had always thought that it was the glory of a Briton to say that he stood by his bargain and that his word was his bond. Under the existing law contracts might be voided on the grounds of infancy, lunacy, fraud, misrepresentation, duress, and mistake, but he did not imagine that any good business man would say that there were any other grounds on which contracts should be voided at the instance of one of the parties. He wanted to know on what principle they were going to legislate in order to enable one party to a contract to void it to his own benefit and the detriment of the other party. It had been said that this Bill had been brought in on behalf of tenant farmers. Had the tenant farmers complained, or had they examined the Bill? Did anybody believe that half a dozen farmers would come and say that they wanted to be relieved of the contracts they had deliberately made? On what ground was it that the tenant farmer was to be relieved? Not because he was a lunatic or an infant, not because any fraud had been committed upon him, and not because he was under any duress, or that he was incompetent in any sense whatever. He was the man who was presumed to know better than the landlord, because they were giving him liberty under this Bill, after having agreed to crop in one manner, to change his mind. If they assumed that the tenant knew better than the landlord, they must also assume that he was the better man when the original contract was entered into. The tenant should, therefore, be bound by the bargain because he was the better man and knew best what he was doing. They were taking upon themselves to give to certain persons the right to prescribe, as against the will of the owner and everybody else, what should be the course of husbandry upon somebody else's land in future. A man who had agreed to cultivate another man's land in a particular manner was to be enabled to make experiments on that land which might by reason of his mistake or negligence ruin it for a considerable time, and to claim an arbitration respecting the money he expended in making these experiments. This amounted to requiring the compulsory investment of the landlord's money in bad cultivation. He asked the House to consider what were the interests of the rural labouring classes which, according to the preamble, the Bill was intended to promote. Were the labouring classes benefited by unsuccessful experiments by tenant farmers? This Bill enabled a man to enter into a contract with his landlord which he intended not to carry out but to break at his earliest convenience. A tenant might sign a lease by the covenants of which he was to crop his farm in a certain manner, and to dispose of his produce and the manure made on the farm in a certain manner, yet he might under this Bill the very next year set to work and cultivate the holding in quite a different way. He might, while solemnly signing the lease, have the very intention of so breaking it. This was not a question affecting the particular agricultural industry alone. If a man with certain views entered into a bargain which he afterwards found or thought was bad for him, and he could get rid of the terms of the bond, what became of confidence between man and man in every kind of commercial transaction? The sentiment of the inviolability of contracts had been maintained for centuries and had been transmitted to our descendants in other parts of the world—notably in America. In the Constitution of the United States, adopted 120 years ago, there was a proviso that

> "No State shall pass any *ex post facto* law impairing the obligations of contracts."

That proviso could not be altered except in a very crucial manner which was not likely to receive the sanction of Congress. When this Bill was introduced there was never a word of explanation from the Government that they wished to violate this great fundamental principle of confidence in contracts between man and man as well as between nation and nation. In the preamble of the Bill it was said that it was for the benefit of the community, but the Government had not condescended to show how it would benefit the rural and labouring classes much less the community. Were the Government, because they had a large majority, to be entitled to bring in Bills without stating the reasons for them, and force them through the House and impose them on the country by the same means? The Government might have told the House that this Bill was to alleviate some wrong. But did the Bill remedy a wrong? If so, who was hurt? Did the tenant farmer say that he was hurt by being bound to a contract into which, as a grown man, he had entered? No tenant farmer in the House had said so. His conviction was that the tenant farmers were too much of men to demand the protection of such a provision as was contained in the Bill to enable them to dishonour their own word and their own signature. There were other motives attaching to the passage of this Bill through the House of Commons. Were those motives political, or social, or were they for the benefit of any particular class? Were the Government not, by this measure, demoralising every class in the community by allowing people to suppose that they could deliberately violate their contracts and so destroy all confidence between man and man? To sum up what he had said, he moved that this Bill be rejected because it violated one of the first and fundamental principles of all business life; because it offered direct inducements to men to make contracts which they never intended to perform, and then helped them to break those contracts; because it set two classes of the great agricultural industry of this country in distrust of and hostility towards one another; it destroyed the sentiment of honour and of self-reliance which was ashamed to break the given word and stood by the bargain which a man had made though to his own hurt; it annihilated the liberty of action and transaction between individuals for their mutual benefit where no third person or party was injured; it introduced a principle into our legislation subversive of the best interests of the community and demoralising to the individual immediately affected by it—all things which were not consistent with the interest of the rural labouring or of any other class. He therefore begged to move the rejection of the Bill.

MR. CARLILE (Hertfordshire, St. Albans) seconded the motion for the rejection of this measure. They, on the Opposition side of the House, could not help feeling that if the Government, new to its task, had brought in a thoughtfully prepared measure of their own it would have shown that they had considered the interest of the agriculture of the country, which was the most important and ancient of our industries. But so far from giving any thought to the great problem the Government waited until a casual Bill, the offspring of a private Member, was introduced, read a first and second time, sent to a Committee upstairs, passed through that Committee, and then at the eleventh hour were pleased to take hold of that measure and force it through the House and on to the Statute-book. They on the Opposition side of the House felt more warmly than any other section an interest in the agriculture of the country, and knew what were the real relations between landlord and tenant; and they felt that if the subject was to have been dealt with at all in the present Parliament it ought to have been introduced seriously by the Government after proper care and thought had been given to it. Many of the provisions in the Bill were in many respects most unsatisfactory. How, for instance, could those relating to game be satisfactory to either the landlords or tenants of the country? The landlord, in fixing the rent of the tenant, took into consideration the amount of game that was on the farm, and reduced in some cases the rent by 2s. 6d. or even 5s. an acre. How could such a landlord look back with any satisfaction to a provision into which he and the tenant had willingly entered by which allowance was to be made for the game and the landlord was to be given a free hand in that regard, when the landlord was to be taken into an arbitration court and made to pay twice over for the damage done by the game? That was preposterous. The hon. Baronet who moved the rejection of the Bill had referred to the fact that the Bill tore up contracts which they had been accustomed to regard as sacred. They all thought that when they put their hand to a deed of contract they were in duty bound to carry out their bargain. Up to the present time there had been an excellent feeling between landlords and tenants in this country. In other countries the feeling between landlord and tenant might be unsatisfactory, but in this country it was of a most cordial character. Why was it necessary, by using compulsion, to destroy that feeling of friendliness and mutual consideration and conciliation which had hitherto obtained? The only thing that the Bill would involve was a large amount of unnecessary trouble and expense. The consequence would be that the contracts as to rent would have to be revised in the future, and landlords would have to increase their rents. As under the Bill the landlord was liable to have his land handed back to him in a much deteriorated condition, the incoming tenant would not take it except at a reduced rent, and in order to make himself safe and to protect himself against the consequences of this ill-considered and ill-timed measure, the landlord would have to protect himself in that way. The rich tenant could, under the Bill, if he were so disposed, ruin a poor landlord. This was a preposterous Bill which involved that the landlord should, at the end of a lease, pay a large sum in the way of compensation for alleged improvements which he, so far from wanting, had objected to, and which were of no marketable value to an incoming tenant. Nobody in this or any other country liked to see a large class of property depreciating in value or becoming unmarketable, but, if this Bill passed, people who had money to invest would keep to the very last the thought of investing their savings in land. Twenty or thirty years ago, men thought that in investing their savings in land they were investing them in a moderately safe manner, but under this Bill nobody would put a penny in land if he could help it. A man now would probably put his money in foreign stocks and allow the interest to accumulate, in order that he might secure the benefit of the graduated income-tax of the future. They did not want the greatest commodity of the nation to be deteriorated by this "scratch" legislation of a Radical Government, under which anybody who had any money to invest would prefer to invest it in any other part of the world rather than in English land. He did not think he had overdrawn the case at all. People liked to invest their money in property which was free from danger of depredation and robbery. This Bill possessed all the qualifications that appealed to right hon. and hon. Gentlemen opposite, and there really ought to be no surprise—although apparently here was surprise—that they had laid hold of and grabbed a private Bill which contained those principles of rascality and robbery which people in this country were already beginning to associate with right hon. and hon. Gentleman opposite. For these reasons he hoped the House would reject this abominable measure.

Amendment proposed—

"To leave out from the word 'That,' to the end of the Question, and add the words 'This House declines to pass a Bill which destroys freedom of contract between grown persons in dealing with their own affairs and alters contracts freely made, at the instance of one party only and against the other.'"—(*Sir Henry Kimber.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

*Mr. SOARES (Devonshire, Barnstaple) said the mover and seconder of the Amendment which, of course, if carried, meant the rejection of the Bill, had not erred on the side of moderation in language. He had taken down a few of their expressions. The Bill had been described as "scratch" legislation; it embodied, they were told, the principles of "rascality"; it was an ill-considered and ill-timed Bill; it was demoralising in every clause, and was in fact an abortion of a Bill. These words were pretty strong and he was very curious indeed to see if hon. Gentlemen on the other side backed up their strong language by their votes. The hon. Member for Wandsworth had moved the rejection of the Bill mainly on the ground that it altered contracts already made and interfered with freedom of contract. Perhaps the hon. Member would allow him to say that the Bill was in accordance with all the precedents of agricultural legislation. It had been recognised by legislation that the tenant farmer was not quite in a position of freedom to contract with his landlord.

*SIR HENRY KIMBER thought the hon. Member would find that in all previous Agricultural Holdings Acts they recognised contracts.

*MR. SOARES said he was quite prepared to go into that question. Clause 55 of the Agricultural Holdings Act of 1883 provided that any covenant under which the tenant contracted himself out of the Act was void. If the hon. Member turned to the Act of 1900, passed by a Tory administration, he would find that it provided that notwithstanding any previous contracts the tenant should not pay compensation to a greater extent than the actual amount of damage done to the landlord.

MR. WALTER LONG (Dublin, S.) asked the hon. Gentleman to read the next clause.

MR. SOARES said the next clause provided that compensation in respect of improvements made before the passing of the Act should be such as would have been paid if the Act had not been passed but should be ascertained in the manner prescribed by the Act. That, however, did not alter the principle. He did not say that the Bill they were discussing was exactly the same in all particulars as the Bill which passed its Second Reading. It had been considerably altered on both the Committee and Report stages, and although he thought that by some of those alterations it had been improved, he thought that by others it had been worsened. Looking at the Bill as a whole he thought it was a good Bill and one well worth carrying in the interests of the agricultural districts of the country. He was sure that they would look upon it as a great boon. He thanked His Majesty's Government for taking up the Bill. From the first they had acted in a perfectly straightforward and honest manner. A Cabinet Minister gave his blessing to the Second Reading of the Bill with no uncertain voice. Then a deputation waited upon the Prime Minister and asked for facilities, which the right hon. Gentleman promised to give if time allowed. That time had fortunately been afforded, and during the recess Lord Carrington the President of the Board of Agriculture went all over the country and interviewed farmers' clubs and tenant farmers and ascertained their views, which were favourable to the Bill. The consequence was that the Government had decided that the Bill should have a chance of being placed on the Statute Book. He represented a large agricultural constituency, and was acquainted with most of the farmers in it, and whatever their politics might be they were almost to a man in favour of this Bill. The Central Chamber of Agriculture and many others were in favour of it, and a great many letters had been received from tenant farmers by hon. Gentlemen in this House asking them strenuously to support this Bill. That, in itself, meant much, as farmers were not fond of letter writing. Only the other day he had received a letter from a friend in Cheshire, who told him he had been speaking to one of his largest farmers, who expressed the opinion that this Bill "just delighted him," and that if it was mutilated by the Upper House the Lords would lose many of their best friends. They had been told to-day that the Government ought not to have taken up this Bill, as it was a private Member's Bill. He would admit that the action of the Leader of the Opposition had been perfectly consistent throughout on this subject. The right hon. Gentleman had objected to the Government taking up a private Member's Bill, and when old Members of the House remembered the scorn with which he had treated private Members' Resolutions and private Members' Bills they could not charge the right hon. Gentleman with any inconsistency in this matter. They would all remember the dignified manner in which the right hon. Gentleman had walked out of the House when private Member's Fiscal Resolutions were down for discussions. But he would have thought that the result of the last election and the drastic remarks of the right hon. Gentleman the Member for West Birmingham would have pointed out to the right hon. Gentleman that the views he held upon private Members' legislation were not those universally held even by his own supporters. He did not pretend that the drafting of this or any Bill was perfect; if it were there would be no reason for a Committee stage; but it was more perfect than the drafting of the Education Act of 1902 the bottom of which had been knocked out by the West Riding judgment. If this Bill had not been adopted by the Government it would have been a very serious blow to the energy of private Members, having regard to all the work which had been done upon it. Private Members had been responsible for an enormous amount of work in regard to this measure, and now it was suggested by the right hon. Gentleman the Leader of the Opposition that all that work should be looked upon as a kind of intellectual gymnastics and that it should go for nothing. The right hon. Gentleman should have recognised by now that this Parliament was returned for work, and that the private Members were as anxious that their work should be as fruitful as the Government were determined their legislation should be. He denied that the Bill was revolutionary; on the contrary, it was a mild measure of justice to the tenant farmer. Neither was it a Socialistic measure. It was a Bill to protect the capital of the tenant farmer, and as such was an individualistic measure. He thought, however, they owed a great deal to the Socialists in the House who had not allowed a pedantic adherence to their own principles to prevent this act of justice being done to a class of hard working men. He absolutely denied that the Bill would set up a system of dual control, and in that view he was upheld by the statement of the hon. Member for Leith Burghs on the Second Reading, that the Bill did not constitute a system of dual ownership. In dual ownership there had to be two persons with indefeasible saleable rights in the land. This Bill did not give those rights because, although there was compensation for disturbance, the landlord could disturb his tenant on paying compensation. The principle of compensation for improvements had been assented to by a Tory Government, and if there could be compensation for improvements surely there could be compensation for what might be termed wrongful dismissal. In his opinion dual ownership was a phrase invented to frighten timid people. He regretted that Mr. Rider Haggard, whose opinions on the agricultural question all must respect, should have said that, if this Bill passed, mortgages would be called in and the whole country ruined. Such statements were always made with regard to measures affecting the interest of the workers of the country, but notwithstanding the fact that this class of legislation was steadily increasing capital was always to be found when good security was offered for it. The Bill did not in any sense of the word tend to depreciate the value of property. If hon. Members carefully considered the Bill they would easily see the truth of this statement. The clause for compensation for damage by game had been accepted by the Opposition, and therefore hon. Members could not now say that that would tend to depreciate the value of land, and the clause with regard to freedom of cropping was hedged round with restrictions to prevent the deterioration of the land or the value of the holding. Clause 4 only provided that estates which had been badly managed in the past should be brought up to the level of well managed estates, and he had yet to learn that anybody would suggest that a badly managed estate was better security than a well managed estate. The only effect of the Bill would be to give tenants security for their capital and, by giving them a free hand, enable them to produce more from the land, and this would tend rather to appreciate than depreciate the value of land. He hoped a good fate awaited the Bill in another place, and that it would be there considered on its merits. If it were it would be placed on the Statute-book in its present form, to the great benefit not only of the tenant farmers of the country, but of the community at large.

COLONEL LOCKWOOD (Essex, Epping) said he had consistently opposed the Bill at every stage, and had succeeded with other hon. Gentlemen on the Opposition side of the House in getting many Amendments made in it. He thought now he would be wanting in the courage of his opinions if he allowed the Bill to be read a third time without continuing his opposition to it. The hon. Gentleman for Barnstaple had of course strong reason for rejoicing in the fact that the Government had taken up the Bill, because he was the seconder of the Bill when it first came before the House. The hon. Gentleman had also given another and a curious reason for the action of the Government in making this Bill their own, namely, that that action of the Government was due to a desire on their part to stimulate the flagging energies of private Members.

*MR. SOARES said that he could not admit that that was a correct rendering of his speech.

COLONEL LOCKWOOD said that the hon. Member distinctly stated that he was grateful to the Government for having adopted the Bill and made it their own because if they had not done so it would have been a great blow to private Members. The words which he (Colonel Lockwood) had used might not have been exactly the same, but the sense was indentical. He in company with many hon. Members on the Opposition benches had endeavoured to discover the reason for the Government's taking up the Bill. Various reasons had been suggested, but he believed it was done in pursuit of the policy announced by right hon. and hon. Gentlemen opposite at the last election when they promised that peace and prosperity would speedily follow the return of a Radical Government. He would be one of the first to admit that prosperity was wanted by the tenant farmers of the country. The hon. Member for Barnstaple had stated that he had received a number of letters from tenant farmers advocating the passing of this measure. All he could say was that he also represented an agricultural constituency and he had never had a single letter from any farmer in that district or in the adjourning county in support of the Bill. The Agricultural Act brought in by the Tory Government was said to be a dole for the landlords; should not this Bill be called a dole for the tenants? If this was so important a Bill as the House was lead to believe why was it not brought in by the Government of the day? Surely they had on the Front Bench a Member who could produce a Bill in the interests of agriculture. Every Member of the House, Liberal and Tory alike, was desirous of diminishing legal expenses, but this Bill went out of its way to invite the sometimes friendly and sometimes unnecessary intervention of legal gentlemen. Many men would be unable to pay the charges involved in a legal inquiry, yet legal inquiry was stimulated. He objected to the Bill because it substituted legal proceedings for the hitherto friendly relations between landlord and tenant, and he knew, and right hon. Gentlemen on the Government Bench knew, with what dislike many followers of the Government viewed the Bill. The hon. Member for Barnstaple had stated that numerous Chambers of Agriculture were in its favour. He (Colonel Lockwood) could produce a list almost, if not quite, as long of Chambers of Agriculture who were opposed to it. The Scottish Chamber of Agriculture had passed a resolution saying that the Bill was useless, and the Lincolnshire farmers had made a similar pronouncement. Quite apart from its merits the Bill would always meet with his opposition on account of Clause 4. The learned Solicitor-General for Scotland and others had endeavoured to explain away the fact of dual ownership being in the Bill, but his rooted objection to it remained. He could never accept a Bill containing such a clause, and all the concessions which had been made during its various stages had not altered his opinions with regard to it. No man was more anxious than himself to assist the tenant farmer, and right hon. and hon. Gentlemen opposite were no doubt actuated by the same spirit. With Clause 4 the Bill violated all the principles he held, and without Clause 4 it would be about as useful to the tenant farmers as were side pockets to a toad. He maintained that a good landlord and a good tenant could get on very well together, and right hon

Gentlemen opposite seemed to have forgotten that besides bad landlords there were also bad tenants. He looked upon the game clause as absolutely valueless. If the Government desired to legislate on the subject of game by all means let them do so, but let them do it in a Bill by itself. Let them bring in a Bill making it illegal to shoot more than three pheasants any year and then people would know where they were. He should continue to hold his opinion on this measure, and if the House divided he would certainly record his vote against it.

THE SOLICITOR-GENERAL FOR SCOTLAND (Mr. URE, Linlithgow) said he could scarcely hope at the eleventh hour to effect the conversion of the right hon. Gentleman opposite, but, before the final reading of the Bill was taken, he might be able to relieve some misgivings on the part of hon. Gentlemen opposite if he were to express his views with regard to the scope of the measure. Undoubtedly the Bill had had a somewhat chequered career due, not so much to the fact that it was in its origin a private Member's Bill, but mainly to the difficulty there had been in obtaining the views of agriculturalists upon it. He did not altogether defend the original drafting of the measure, but he felt bound to say that the criticisms addressed to it had been somewhat exaggerated; the Bill did not even in its original form deserve the unmeasured denunciations that had been poured upon it by right hon. and hon. Gentlemen opposite. It had been amended in Committee, and the labours of this House during the Report stage had resulted, in his opinion, in its now being a very ship-shape measure. The right hon. Gentleman the Member for South Dublin had complained of the lack of legal assistance in the Committee stage, but the right hon. Gentleman would agree that the Government could not be expected to turn on more than one Law Officer on the Committee stage, and if he was right when he stated that from the outset of the Report stage the representation of the Government had been confined to the Law Officers of the Crown, the Government stood absolved from the charge of providing too little legal assistance in the discussions on the Bill. He thought it was a little hard upon the Government and not altogether fair on the part of the right hon. Gentleman to denounce them for having a lack of legal officers in the Committee and for having a plethora of legal officers on Report, on which occasion the right hon. Gentleman had complained that the defence of the Bill was left exclusively to Law Officers. The Bill had merits, although hon. Members opposite had used some somewhat hyperbolical language with regard to it. He would explain what its merits were. It was a measure to advance the interests of agriculture, and he was one of those who believed that the interests of agriculture could not be advanced if the interests of either the landlord or the tenant were injured. He was quite certain that the interest of the tenant could be advanced without injury to the interest of the landlord, and he was equally sure that in the long run the interest of the tenant could not be advanced if the interests of the landlord were injured. In order to reconcile opposing interests Parliament once gave to the tenant the right to trap and snare hares and rabbits. This Bill proceeded to deal with winged game, but somewhat differently. It gave the landlord an option either to allow his tenants the right of shooting the game upon the farms, or to keep the right of shooting in his own hands but with the liability to pay compensation to tenants for damage done by the game. The fact that for many years the Scottish farmer had had the right to claim compensation for damage done by game should help to remove the apprehensions of the representatives of the landlords. In Scotland, more than in any other country, the relations between landlord and tenant had been happy. The clause was designed exclusively in the interests of agriculture. He now came to the free-cropping clause. Complaint had been made on the Front Bench opposite as to the inadequacy of the defence offered for this clause on the part of the Government. He denied that it was inadequate; but, if it were, it was nothing to the feebleness of the attack upon the clause. It was said that he had only defended the clause on a purely legal ground, to wit, that it was not, after all, so bad as it looked, because the late Government six years ago had given the right of free cropping. He would claim that argument still. He could not for the life of him understand why right hon. Gentlemen opposite should repeat their claims to be the farmer's friend.

Under the Act of 1900 one of the improvements which the tenant might make without the landlord's consent was the laying down of temporary pasture, and as he could not contract himself out of his right, it was impossible to enforce against him any particular system of cropping specified in a lease. The right hon. Gentleman opposite had done good by stealth. Why should he blush to find it fame? It was said there was no defence of this clause upon its merits. Not being a skilled agriculturist he could not, of course, offer a defence which could hope to claim the approval or be entitled to the attention of the House; but he had submitted some cogent sentences from the speech of an experienced farmer, and none the worse because a Tory and a Scotsman, which admirably set forth the merits of the clause. As it seemed to him to be the kernel of the argument, he would repeat what the gentleman in question said to the Scottish Chamber of Agriculture:—

> "The intelligent man in the future is to be advised to use his brains, and is not to be tied down to a number of 'thou shalt nots;' but he is to use his land and cultivate his land as he thinks best, to sell his produce in the market to the best advantage and what is good for the tenant cannot in the long run be bad for the landlord."

He adopted those words on the Report stage, and he adopted them now. Although he listened throughout the debate on Report, he heard nothing more cogent and more favourable than the words of this Tory farmer. There was, however, one reason given against the clause which merited serious attention. It was put forward by the right hon. Member for South Dublin, who asked how it would be possible under this clause to prevent the tenant from making disastrous experiments. The right hon. Gentleman had given an instance in which a cautious and skilful man had persuaded him against his better judgment to make an experiment in laying down a certain field, and although the experiment promised well to begin with, it ended in disaster. The right hon. Gentleman would admit that if at the end he found himself a loser, at all events he had gained some very valuable experience, and the House had had the advantage of it. He supposed the right hon. Gentleman's argument was that if this Bill became law the tenant would be entitled to make such an experiment without getting the leave of the landlord. He thought the right hon. Gentleman was wrong. Under the provisions of the Bill, if the tenant desired to make an experiment, the landlord could obtain an injunction restraining him if it could be shown that the experiment would deteriorate the holding. He would not be compelled to go before a single arbitrator, but he would be entitled to go before a regularly constituted tribunal of the land. Assuming that the landlord failed to satisfy the tribunal that the experiment would probably injure the holding, did the right hon. Gentleman not think that it was for the advantage of agriculture that experiments should be made by tenants who were so eager and earnest that they were prepared to justify before a Court of law the soundness of their theories? Was it not better that here and there a mistake should be made than that the paralysing hand of some landlord, perhaps ignorant and stupid, should be allowed to stay the progress of inquiry in the science of agriculture? He did not think that it was at all unreasonable that a tenant should be allowed to make an experiment of that kind, if he could justify it. Probably the clause in regard to which controversy raged most fiercely was that dealing with compensation for disturbance. In his humble judgment he thought that both friends and foes of this clause had somewhat exaggerated its importance. The clause left the rights of property possessed by the landlord untouched and unimpaired; it made no inroad on the sacred rights of property. While it contained no invasion of the landlord's rights he asserted that it conferred a very valuable right on the tenant—namely, that where he was turned out of his holding, or if the landlord refused to renew the tenancy whereby a loss was inflicted on the tenant incidental to his removal, he would be entitled to compensation if he could show that the landlord had acted without good reason. Could the House say that that was an unfair provision? Personally, he admitted that it made a radical change in the law, because it gave to the tenant a claim to compensation where he could not say that he had been the victim of any legal wrong, and it made the landlord who had committed no breach of contract pay compensation for disturbance. At first he was inclined to think that that was a change in the law without precedent, but an hon. friend had pointed out that there was a precedent instituted by the late Government in the English Licensing Act. A publican who formerly had no legal right to a claim for compensation if his licence was not renewed was now entitled to have compensation paid. But there was a radical difference between the two cases. The magistrates could not refuse to renew a licence unless they were prepared to pay compensation; their right to refuse was conditioned by the payment of compensation. But the landlord could terminate the tenant's right without any condition being imposed upon him whatever; and until the tenancy had ceased, until the last link between landlord and tenant had been severed, the claim for compensation did not arise. The landlord only paid compensation when it was shown that he had acted unreasonably. But there was not a trace of dual ownership in the Bill. The Scottish Chamber of Agriculture, in considering this question, seemed to possess a double dose of besetting sin in an otherwise sinless country. He did not call it parsimony, he would rather call it an overweening disposition to scrutinise too closely and too microscopically both sides of a well-known coin. They believed that if this clause became law the immediate result would be that the landlord would raise his tenants' rent, and there was nothing that the Scottish farmer abhorred so much as the raising of his rent. But the landlords and tenants in Scotland had hailed with delight a clause which set up a compulsory tribunal of a single arbitrator, because a Scotsman could not stomach the idea of having to pay for three judges when he really got the services of only one. He submitted that by the efficacy of the whole of these features in the Bill the value of the measure must ultimately be judged.

MR. LAMBTON (Durham, S.E.) criticised the hon. Gentleman for the inconsistency of his advocacy of this Bill when he pointed out that most of the clauses of the original Bill were altogether inappropriate to a Land Tenure Bill. He had hardly given sufficient reasons to show why the Government took up this private Member's Bill at all. The Government pursued a very devious course in regard to private Members' Bills. It was like a motor omnibus on a greasy road; they did not know in what direction it would skid next. It was dangerous to the community and damaging to all property on the entire route. He thought if the Government had studied the preamble of the Bill they would never have taken it up. The words of the preamble were a disgrace to the English language. It ran—

> "Whereas it is expedient in the interests of good husbandry that better security should be made for the capital and labour invested by tenants in the cultivation of the soil, but consistently with the interests of the rural labouring classes and of the community generally in such investment."

In the original Bill the word "but" and the subsequent words did not exist. When the Bill was discussed on Report the evidence of hostility to the landlord was so marked that he felt compelled to move as an Amendment that the words "landlords and" be inserted, so that the interests of both landlords and tenants should be secured in the cultivation of the soil. The words were rejected, and yet others were inserted securing the interests of the labourers. It was therefore evident that the promoters aimed the Bill directly at the owners of the soil. He asked whether after that exhibition of hostility towards landlords the Opposition was not justified in opposing every line of this pernicious Bill. Surely the hon. Member who brought in the Bill must have been thinking of the house that Jack built and of the beautiful logical sequence of events which followed its construction. The hon. Member had evidently had very little experience in such matters, for instead of putting the land clauses in first, so that the House might understand who was to own the land, he had put the game clauses in first, so that reading the Bill according to the order of clauses one was disposed to say: "This is the game that ate the crops that grew on the land that X. owns." He would not enter upon Clause 4 except to say that he thought the Solicitor-General for Scotland was not conversant with land practice. He was himself more or less conversant with land practice, and he could assure the House that landlords and tenants were very much averse to going to the Courts with very little prospect but that of enormously increasing the incomes of the legal profession. As to Clause 4 he quite agreed that a landlord ought not to evict his tenant for vindictive or personal reasons, but he himself had not in a pretty wide experience come across a landlord who had done so. The hon. and learned Gentleman had stated that such cases never occurred in Scotland. Would any English Member get up and say that they occurred in England? They had heard a great deal about Scotland, but this Bill applied to England as well. Reference was made by the hon. and learned Gentleman to Clause 7 in regard to rhubarb and asparagus, and he told the House that it ought never to have been in the Bill. That was what he and his friends on the Opposition side had thought all along, and that was one of the chief reasons why they opposed the Bill. The other night when the House was considering the Bill, there was a revolt among Members on the Government side in respect of the strawberry clause. But when the asparagus and rhubarb clause was before them there was a riot, the military had to be called in, and it was only by the intervention of the Chancellor of the Exchequer that the riot was quelled without bloodshed. He knew of a case at Alnwick where a tenant—a Mr. Stevenson—rented a thirteen-acre farm from the Duke of Northumberland, seven acres were permanent pastures, and six acres market garden. The rent was £65, which panned out, with rates, at £3 7s. 8d. an acre. The tenant left the farm, and claimed compensation from the Duke of Northumberland. His total claim was £1,028, and the umpire awarded £259. But the tenant had planted a plot with Duke of Norfolk strawberries, and for this plot he claimed compensation to the amount of £433, which panned out at £2,117 an acre. He made that claim in all seriousness, but the umpire took no notice of it, and the compensation at the rate of £25 an acre was paid by the incoming tenant, so it must have been a fair valuation. That case showed what exorbitant claims might be made by a tenant who turned a holding into a strawberry farm. He did not wish to prevent experiments by tenants, but they ought not to be made at the expense of landlords. There were good and bad tenants, and there were also very foolish tenants. One never knew what the vagaries of a tenant might be. He knew of a tenant who turned a pasture field successively into a rabbit warren, a fruit garden, and a chicken farm. Who would say that a landlord should be responsible for such ridiculous changes? A tenant should not be permitted to make experiments that would harass a landlord. Another case he had heard of was that of a tenant who conceived a new way of ploughing. He planted a field with acorns six inches apart and eight inches below the surface; he then turned 600 hogs into the field with the idea that they would effectually plough it up and at the same time manure it. He could assure the House he was quite serious. Jokes were expected from Irish Members; they were permitted from Welsh Members; an occasional one might come from a Scottish Member, but there was nothing so disastrous to the reputation of an English Member as to be guilty of joking. He hoped the House would not pass this kind of legislation which would create differences and difficulties between landlord and tenant. The land owning system of the country had gone on very well for a great many hundreds of years. Alterations in the law might be necessary, but in the long run it would be found that the best managed estates were those which did not suffer interference from the State. To pass legislation of this kind was to do a great deal to upset the stability of the agricultural interest. He and his friends had not been actuated in their opposition to the Bill by any desire to fill the pockets of the landlords, but by a desire to see justice done between the two classes, and to protect the one against the other. They did not want protection if they were left alone, but they would want protection if they passed a measure of this kind, which was intelligible to no one but a lawyer. He hoped it would be a long time before the Government again took charge of a measure which the private Member who introduced it did not understand.

*MR. BRACE (Glamorganshire, S.) said that a great deal had been made by the Opposition of the fact that the Government had adopted a private Member's Bill. He was quite sure, however, that even if the Government had brought in a Bill of their own on this subject it would have been received with the same measure of hostility by Members of the Opposition, because the landlord's interest was much more carefully looked after by them than the tenant farmer's. There was undoubtedly a strong desire among tenant farmers generally, and among Welsh tenant farmers in particular, in favour of land reform on the lines proposed by the Bill before the House. It was because the tenant and the landlord did not stand on the same footing in negotiating contracts that the Government thought it desirable to take up this measure, in order that the tenant might be enabled, in making his bargain, to meet the landlord more on terms of equality than was possible at the present time. The evidence given before the Welsh Land Commission showed the necessity for removing the inequalities which existed between landlord and tenant in the making of bargains. As representing a Welsh constituency which contained a substantial proportion of tenant farmers, he advocated the Bill, not as fully meeting the needs and requirements of the case, but as an instalment towards a greater and fuller measure of land reform which he trusted the Government would introduce before this Parliament ended. It had been said that the Bill gave no relief to labourers. That, however, was not the case. If the tenant farmer got relief he would be enabled to secure a better profit than at present, and the natural deduction was that the labourer would be able to get a better wage and better conditions from a successful tenant farmer than he could hope to get from one who was not successful. Hon. Members on the Opposition side of the House had talked about landlords having a grievance under the Bill. As a matter of fact, each advantage given to the tenant farmer was accompanied by a corrective in the form of a protective clause for the landlords. When the right to kill game was vested in some person other than the landlord, the landlord was entitled to be indemnified by such other person against all claim for compensation. They were therefore giving the landlord the fullest protection. They gave the tenant some kind of right, but it was all whittled down until it was the tenant who had the right to complain rather than the landlord. Clause 3 provided for freedom of cropping and disposal of produce. All the clause did was to give freedom to the tenant farmer to cultivate according to the highest standard of his intelligence. They gave him, in fact, full liberty to use his brains and all the scientific inventions for agriculture known in the country. But they did not give the tenant farmer absolute liberty without compelling him to accept a large amount of responsibility; because if the tenant made a mistake, provision was made that he should make suitable and adequate provision to protect the farm from injury or deterioration and "return to the holding as soon as may be the full manurial value of all crops sold off or removed from the holding." Therefore they protected the landlord every time. Sub-section (2) of Clause 3 expressly provided that if the tenant exercised his rights in such a manner as to injure or deteriorate the holding or to be likely to injure or deteriorate the holding, the landlord should be entitled to recover damages in respect of such injury or deterioration, or, as the case might require, to obtain an injunction restraining the exercise of the rights in that manner, and the amount of such damage might in default of agreement be determined by arbitration. Clause 4 provided compensation for "unreasonable disturbance."

> "When a landlord without good and sufficient cause, and for reasons inconsistent with good estate management, terminates or refuses to grant a renewal of the tenancy, or it is proved that an increase of rent is demanded from the tenant as the result of improvements which had been effected at the cost of such tenant, and for which he has not, either directly or indirectly, received, an equivalent from the landlord, and such demand results in the tenant quitting the holding, the tenant, upon quitting the holding shall, in addition to the compensation (if any) to which he may be entitled in respect of improvements, notwithstanding any agreement to the contrary be entitled to compensation for the loss and expense which the tenant, by reason of his quitting the holding sustains or incurs upon, or in connection with the sale or removal of his goods, implements, produce or stock."

If a tenant farmer was without reasonable cause turned out of his holding which had become dear to him by family associations, and which had been made what it was by the expenditure of the united genius of generations, was it unreasonable that he should seek some compensation? He did not look upon this Bill as anything like meeting the demands of the tenant farmers, but he accepted it as an earnest of the intention of the Government to give them a measure of land reform that would correct a good many of the wrongs at present in operation, in connection with not only agricultural land but other land in the country. The tenant farmer had a right to protection. He should be given freedom in his holding, and be made to feel that as long as he did justice to the soil, as long as he was endeavouring to do what was right—and the tenant farmer was a highly intelligent man—he should not, through the caprice of the landlord or landlord's agent, be turned out of his holding. Far be it from him to suggest that there were no good landlords, or that all landlords were bad; but he maintained that the good landlords stood to lose nothing by the Bill. It was because he was persuaded that it would take them forward some step towards the solution of a great problem, and to check the exploitation of good tenants by bad landlords, that he supported the Bill.

*MR. GARDNER (Berkshire, Wokingham) said that he had been a tenant farmer for nearly half a century, and was a specimen of that downtrodden class. He thought that the hon. Gentleman who had just spoken had allowed his eloquence to run away with his common sense. He had to look at what the practical effect of this Bill would be. Although the Bill had been much modified—and he desired to express his appreciation of the conciliatory manner with which it had been conducted through the Report stage by the hon. Baronet the Member for South Somerset—his objections to it were far from removed. In his opinion it still contained elements of confiscation. Some of the provisions of the measure were injurious to all classes of agriculturists, and involved possibilities of untold litigation. Clause 1 wantonly took away from the landlord his interest in the inherent capabilities of the soil. He saw no reason or justice why the property should be taken away from the landlord. The Bill contained provisions of an irritating nature. Clause 2, which dealt with sporting rights, would set landlords and tenants at loggerheads as to the amount of the compensation to be paid for damage done by game, and prevent landlord and tenant entering into a free bargain between themselves. If there was one factor more valuable than another to the tenant it was to live on good terms with his landlord; by so doing, he would get a good deal more out of the landlord than the provisions of this Bill would give him. Clause 4, which dealt with the cropping of the land, had been considerably modified, but as it stood it would be injurious to landlord, tenant, and labourer. The Bill professed in the preamble that it was going to do something for the benefit of agriculture, and that something was to include a benefit to rural labourers. He, however, could discover nothing in the Bill which would be a benefit to the agricultural labourer. Then as to the tenant. He had hitherto cropped his land according to the conditions laid down in his contract of tenancy—conditions which had proved to be the best for the particular part of the country in which the farm was. He had never known a tenant to be injured by following the course of cropping recommended by the accumulated experience of generations. He was not one of those who thought his grandfather was a fool, and did not know the proper way to cultivate the land. He had known tenants who had burnt their fingers by cultivating the land differently from their predecessors. He had done it himself, and had been compelled to return to the course of cropping which he pursued forty years ago. The clause would not only enable a tenant to run riot with his holding, but it would fill the pockets of land agents, arbitrators, and lawyers, and thus inflict a cruel hardship on an industry which demanded capital at a cheap rate. It must be understood that landlords, after all, were not fools. He was a landlord himself as well as a tenant. If the tenant was given the right to sell all the produce off the land, immediately he entered on his tenancy, the landlords would be compelled in self defence to take out of the holding capital hitherto left for the use of the incoming tenant. The only remedy the landlord had with a bad tenant was to get rid of him as soon as possible, and the landlord was bound to have some security for his interest in his land. The tendency of the Bill would be to drive the landlord to take his capital out of the soil at a time when the greatest need of agriculture was more capital. He, however, believed that even under this Bill, bad as it was, the good sense of landlords and tenants would enable them to get along very well. They were told that the agricultural labourer led a monotonous life and was poorly paid, but whatever prospect he had of getting on in life would not be advanced by this Bill. He had known agricultural labourers who afterwards were able to farm their own lands; but the prospects of the agricultural labourer would be actually damaged by the provisions of the Bill, as the landlord would not trust his land under these provisions to a man with little capital. He admitted that tenants ought never to be rented on their improvements, but he should like to know where such tenants were. An hon. Member opposite had said that he had been bombarded by his constituents with letters in favour of the Bill, but he who represented an agricultural constituency had not had a single letter approving it. On the contrary, at every meeting of farmers in Berkshire, they were opposed to the Bill as unnecessary and likely to sow seeds of dispute between landlords and tenants.

*Mr. EVERETT (Suffolk, Woodbridge) said he was sorry to listen to the furious denunciations of the Bill on the part of the hon. Members who had moved and seconded its rejection. To him it appeared that the Bill would not have any very great effect at all, and that no one need stand in mortal fear of any evil consequences arising from it. He quite agreed that the Bill, when first introduced, did contain some very drastic provisions of which he was not able to approve, but it had been whittled down by the Government to such an extent that it was now very harmless, though it still contained provisions that would be of some little use to the farming class. In his opinion the Bill aimed at dealing with exceptional cases. It was not the ordinary landlord but the exceptionally bad landlord who would be dealt with. The ordinary landlord would come into no conflict whatever with the tenant with whom he was now on good terms. There were two clauses in the Bill which were of some value to farmers. One was Clause 2, which dealt with game. They all knew that hares and rabbits were dealt with by an Act passed some years ago, which prohibited landlords and their tenants from contracting themselves out of the Act. He had heard many farmers say that no measure had ever passed this House which was of so much benefit to them as the Ground Game Act. It was proposed under this Bill that similar provisions should be made in regard to winged game. An excessive stock of winged game, and especially pheasants, could be extremely hurtful to farmers' crops. A friend of his who had a game farm had told him that in the first year of his tenancy he had a ten acre field of oats near a covert. He cut the crop, and when he thought that the oats had been stooked long enough to cart them to the steading, he found on examination that nearly the whole of the oats had been eaten by pheasants, and that what remained was not worth carting. Surely it was only just and equitable that when a tenant farmer's crop was destroyed by live stock which had wings and which did not belong to him, if the damage done was more than the amount by which his rent had been reduced on account of game being kept he should receive compensation. The principle of the clause dealing with this matter had been admitted by hon. Gentlemen opposite, and they were no friends of the farming class if they objected to its very reasonable provisions. The landowner could help himself if he had let his shooting, because he could recover from his shooting tenant. The whole effect of the clause would be beneficial, because it would tend to repress the excessive preservation of game. The most valuable clause in the Bill, as he thought, was that which dealt with unreasonable disturbance. Those who had dealt with farmers knew how a man became attached to the holding in which he lived and about which he was early and late. It was often the place to which he brought his wife when he was married and in which his family had been born and brought up. He knew every field and every acre of it, and arbitrarily to disturb such an occupation was a very cruel act. It was, it was true, an act of cruelty which was not often perpetrated, and therefore this clause would not have a large operation, but it would help to prevent the occasional perpetration of deeds of that sort. He remembered a time thirty years ago when it was difficult to get a farm at all, and when it was dangerous for a man to show his politics or to go to chapel instead of going to church. Who would say that it was defensible to turn a tenant out of his holding for such an offence as that? He had a remembrance of an estate in his neighbourhood which was purchased by a very rich man who came into conflict with a neighbouring rich man, but was not successful in his quarrel, and as the result of that he gave notice to quit to all the relatives of the other rich man, of whom he had several on his estate. Who would justify such action as that? It was a case of cruel, arbitrary and unjust eviction of tenants from their holdings. He had been much struck by the term used to describe the cultivator of the soil in the Old Book. There the cultivator of the soil was called a husbandman, which meant that he was married to the soil, and as he loved and cherished his wife so he was wedded to the soil and loved and cherished it. That was the ideal and often the actual relationship between the two and it was cruel unreasonably to divorce them. The only fault that he found with the clause was that His Majesty's Government on the last day of the discussion whittled it down, and he hoped that in another place the clause would be restored to the form in which it came up on Report.

MR. ABEL SMITH (Hertfordshire, Hertford) said the two last speeches they had heard in that debate had been from practical men, one on either side of the House. His hon. friend the Member for Berkshire had denounced the Bill as unnecessary and even injurious, and the hon. Member for the Woodbridge Division had not answered one of the arguments which he brought forward. He very much doubted whether the promoters of the Bill would relish the very faint praise which the hon. Gentleman had bestowed upon it. He whittled down the merits of the Bill, although he said that two clauses of it had some little value. For himself he would rather take the view of his hon. friend the Member for Berkshire, which was expressed in such a lucid and practical manner. But he would like before he discussed the clauses of the Bill to say with what admiration he listened to the speech of the hon. and learned Solicitor-General for Scotland, and to express on his own behalf and he believed on behalf of his friends their thanks to him for the uniform lucidity and courtesy with which he had met their arguments on each stage of the Bill. He had been a constant attendant in the House while the Bill was being discussed and had some right to speak on that subject. The hon. and learned Solicitor-General, referring at some length to the provision of the Bill which gave freedom of cultivation to the tenant, had said it had been practically given under the Bill of 1900 which was passed by his right hon. friend the Member for South Dublin, who was then President of the Board of Agriculture. He would like to point out, however, that what the Act of 1900 did was to sanction the laying down of permanent pasture and to place it in a category of those things which having been done without the landlord's consent compensation should be paid for, but the Act of 1900 did not take away from the landlord the right to say in what rotation and in what manner the holding should be farmed. It simply said that if the tenant had laid down permanent pasture he might be able to claim for it, but if he had broken his contract or farmed contrary to the custom of the country, he was liable to a set off against his claim for compensation for any damages which were due for his having broken his contract. Under these circumstances he did not think the Act of 1900 gave freedom of cultivation. He thought they had a right to criticise very adversely the conduct of the promoters on the one hand and of the Government on the other in regard to the conduct of the Bill. It was said, he thought by the Prime Minister, that this Bill had been very fully discussed in the Grand Committee upstairs, but it would be in the recollection of hon. Members on that Committee that they had very little assistance indeed from members of His Majesty's Government except from the learned Solicitor-General for Scotland, or from the promoters. They raised objections to various clauses and proposed many Amendments which they thought necessary to make it an acceptable Bill, a great many of which Amendments had been accepted by the Government. But as far as the promoters of the Bill were concerned, there was one common form always used either by the hon Member for Barnstaple or by Mr. Robartes when an Amendment was proposed. They got up and said that the promoters of the Bill were very sorry that they were unable to accept the Amendment. He heard that some scores of times, but no arguments were advanced in reply to the Amendments moved. Therefore, he did not think it was a very good argument, even if used by the Prime Minister, to say that the Bill was discussed at length before the Grand Committee on Trade. Some one had said that the Government had acted in a most straightforward and open manner in regard to the Bill, but the complaint of the Opposition was that they had been kept in the dark. The only Member of the Government—he gave him credit for this—who had behaved in an open and frank manner was the President of the Board of Agriculture. The noble Lord had gone up and down the country making speeches in favour of the Bill showing that he would spare no effort to pass it. But what did the Cabinet do? They kept the House absolutely in the dark until Monday as to their intention to take the Bill on Report on the following day. That was a most unfair and improper way in which to deal with an important Bill. He quite agreed that the great interest centred round Clause 4. The promoters claimed that this clause would protect the good tenants against the bad landlords, but it was perfectly obvious that in its amended form the clause could just as well be used against a good landlord as against a bad landlord. Whatever might be the action of the landlord who gave the tenant notice the latter was perfectly certain to think that the landlord was behaving unreasonably, and if he could induce a single arbitrator to take the same view he would be able to recover damages from the landlord, however reasonably from his point of view he might have acted. They had heard in the course of the debate of the case of a man who was treated in a harsh and cruel way and was turned out of a farm with which he and his family had been connected for generations. That was a case with which they sympathised, but no damages awarded under this clause could compensate a man in such a case. They could not legislate for moral and intellectual damage nor could they legislate for some of the improper motives which landlords had in giving tenants notice. Landlords who wished to get rid of a man who was distasteful to them, if they did not find one reason would find another, and a rich landlord would be quite prepared to pay damages in order to get rid of a tenant whom he did not like. If he was a poor man the clause would make it impossible for the landlord to deal with his property as he was justified in doing. If that was the case, they were not giving security of tenure to tenants, and they could not give real security to the tenants without giving the three F's. But did the tenants want the three F's? Hon. Members on that side of the House who knew anything about tenant farmers knew that 99 per cent. of them would condemn any such proposal. They did not desire any such legislation and any Bill of this kind would not carry out the purpose of its promoters. The present system of landholding in this country might be good or bad, but it was the system which at the present moment they had to deal with. He for one was willing to improve it if it could be made possible to give security to the occupying tenant as well as to the owner. Any proposal to create a number of small holdings where there was need of them would receive support on that side of the House, but to say that this Bill would tend to bring into existence such holdings was contrary to the fact. Supposing a man thought that in the neighbourhood where his land was situated there was a demand for small holdings, he would have greater difficulty in obtaining land to divide up after this Bill was passed than before. He had ventured to urge in regard to Clause 4 and the fixing of compensation under it that it would be a reasonable proposal to follow the Irish precedent laid down by Mr. Gladstone in 1870. He thought that that was a matter which ought to occupy the attention of His Majesty's Government before the Bill came to be considered in another place. A further matter which he understood the learned Solicitor-General for England said His Majesty's Government would consider was the difference between yearly tenancies and leases for a fixed term. When a lease for fifteen or twenty-one years came to an end the landlord was perfectly entitled to say whether he would renew it for another fixed term, but in his judgment the whole question of the difference between these two classes of tenants was left in a very unsatisfactory position. Another clause that should receive more consideration, in his opinion, was Clause 4. The words with regard to the sale of stock were very unsatisfactory. The introduction of the word "sale" was most objectionable; it would bring into the arbitration matters most difficult to settle satisfactorily and it would give an opportunity to an unscrupulous tenant, who was leaving a farm, to make all sorts of fraudulent claims with regard to the sale of stock, etc., which would be detrimental to the landlord. He wished hon. Members to bear in mind that there were two kinds of landlords, the rich and the poor. This Bill would have the effect of making the rich landlord, who did not depend for his income on the rents he received from his land, hesitate long before he let a farm; in the future he would make much more careful inquiries as to what sort of man was applying for the farm, and many landowners were now thinking of giving notice to their tenants, not because they were unsatisfactory, but because they feared they would have so much annoyance in the future under the provisions of this Bill. He did not think that men who could afford not to do it were justified in acting in that way, but that was the actual effect that this Bill would have in many cases, and that would be a bad thing for the country. A man was entitled to make what arrangements he liked in order to safeguard and enjoy his estate, and he did not say he would be wrong in so doing, but it would be a hardship to a tenant who was prevented from taking the farm owing to these considerations, and it would be a very bad thing for the country as a whole. What was much more serious, however, was the effect that such a measure would have upon the poor landowner. There were many poor landlords in this country, men who owned considerable estates—two thousand acres or more—and who depended for their income entirely upon the rents derived from the land. Supposing a man owning 1,500 or 2,000 acres of land let it at a rental of 12s. or 15s. an acre to two or three large farmers with a decent amount of capital. Each of those men would probably be better off than the landlord, and if the farms were thrown on the landlord's hands it would mean ruin to him, because he would be unable to find the capital to farm them himself and therefore would be compelled to accept any terms offered to him for their occupation. It was on these grounds that he thought such a clause would press very hardly indeed upon the landlords. Though he protested most strongly against its introduction, he thought, having followed the Bill very closely and having taken a moderate part in the discussion of its provisions, he would be most ungrateful if he did not acknowledge the way in which the Government had met the Opposition in regard to some of these matters. It was in his opinion a much more mischievous Bill in its original form, and he gratefully acknowledged the manner in which the suggestions of the Opposition had been met in regard to some of the clauses and particularly in regard to Clause 7. But he still held that there were objectionable principles in the Bill, that its introduction was necessary, and that in the main it would inflict incalculable injury on the agricultural interests, that being so, he could not allow it to leave this House without recording his final objection to it.

*THE CIVIL LORD OF THE ADMIRALTY (Mr. LAMBERT, Devonshire, South Molton) said every Member of the House would cordially agree with the expression of regret by the hon. Member who had just sat down, at the absence of Mr. Agar Robartes, who made such a promising appearance when he introduced this Bill to the House. The Bill, with which he (Mr. Lambert) had been connected for many years, had now reached its final stage in the House of Commons. Its rejection had been moved by the Member for Wandsworth, representing, he supposed, the tenant farmers of Wandsworth.

SIR FREDERICK BANBURY: Representing the common-sense view.

*MR. LAMBERT said the hon. Baronet evidently thought that the common sense of the community resided in the city of London and in Wandsworth; others might think differently. The seconder of the Motion was that fine old crusted Tory whose constituency appropriately contained Hatfield House. That hon. Gentleman condemned the Bill in most severe terms. He had no wish to quarrel with the hon. Member's somewhat facetious description of the Bill, but thought he might perhaps throw some light upon this matter, and possibly induce the hon. Member to change his opinion on the measure. The hon. Member for the Wokingham Division had described himself as a specimen tenant farmer. He thought there were many tenant farmers who would be glad to exchange positions with the hon. Gentleman. There were few specimen tenant farmers who could afford to fight a contested election for a seat in Parliament. The Bill had been toned down to a very moderate measure indeed. It merely embodied the practice of good landlords, and would not injure a single landlord who had managed his estate on just and reasonable principles. The principles upon which the Bill was based were three. It provided that the tenant should have compensation for damage by game, freedom of cropping, and reasonable security for his capital. He did not think the tenant farmer would consider these "principles of rascality" as the Member for St. Albans had considerately suggested. He would not refer to the preamble of the Bill, but one hon. Gentleman had raised considerable objection to "the inherent capabilities of the soil," being left out of the first clause of the Bill. The omission of that phrase from the Agricultural Holdings Act was recommended by the Royal Commission of 1897, of which the right hon. Member for South Dublin was so distinguished a member, and the right hon. Gentleman left it out of that Act when he introduced it in 1900, but it was re-inserted in another place. He maintained, however, that if the tenant farmer by his skill and enterprise developed the inherent capabilities of the soil the result ought to accrue to him instead of to the man who had not made the improvement. As to the arrangements for arbitration, all the Government had done was to simplify the procedure. They did not prevent the tenant farmer and his landlord from coming to an agreement as to the arbitration or the selection of an arbitator. What they desired to prevent was unnecessary legal expenditure. One concrete case was worth a dozen illustrations. One case came before the Board of Agriculture in which a tenant farmer in Scotland wished under the Act of 1900 to have a single arbitrator. He applied to the Board of Agriculture in February, 1903, to appoint a single arbitrator. After some considerable hesitation as to whether they could in this instance appoint a single arbitrator the Board did appoint one in the following May. The landlord objected and took the matter before the Courts. The decision in the first instance was in favour of the tenant, but that was reversed on appeal. These preliminary legal proceedings occupied eighteen months. The costs were thrown on the tenant, the landlord's being £160, and the tenant's £200. These were taxed costs alone; therefore the tenant was mulcted in £360, before even the arbitration began at all. That was work for the lawyers with a vengeance. He maintained that when such a state of things could arise under an Act of Parliament they were justified in putting an end to it. As to compensation for damage by game, he could not conceive any real answer to the reasonable proposals made. Everyone knew that game did enormous damage. It was argued that under the Bill, if damage was done by the game of an adjoining owner, the landlord of the farmer damaged would have to pay. That case was demolished the other day by the Prime Minister, who pointed out that in such a case all the landlord had to do was to give the tenant the right to kill game. But such a case never would occur. No landlord in his senses would rear a large stock of game right on the boundary of his property.

SIR FREDERICK BANBURY: I have done it for years.

*MR. LAMBERT said that in that case he did not think all the wisdom of the country was to be found in the City of London. He submitted that such cases were extremely rare. One of the first acts of nearly every landlord or sportsman in the early part of the season was to go round and see if he could not borrow a few of his neighbour's birds. That was a well-known fact. [AN HON. MEMBER: Not among sportsmen.] At any rate, no real sportsmen would object to compensate a farmer. He, probably a rich man, would not wish to enjoy sport at the expense of the farmer. Surely also there was nothing unreasonable in allowing freedom of cropping and sale of produce, provided the fertility of the soil was maintained. The Royal Commission of which the right hon. Gentleman the member for South Dublin was a member said that the restrictions imposed in many districts were unnecessary and objectionable. Penal rents were included in the lease, and if a tenant missed cropping, or cropped under conditions not according to the lease, he had to pay. That, however, was dealt with by the right hon. Gentleman himself in the Act of 1900, much to his credit, when he limited penal rents to actual loss. Who was the best judge as to the best method of cultivating the land, the tenant farmer who tilled the land, the landlord who was seldom on the estate, or the agent who passed his time in his office? He contended it was the farmer who had to get his living out of the land and suffered if he did not cultivate aright. Hon. Members opposite had argued that long experience and custom were the best criterion; but in the last twenty-five years the method of cultivation for profit had changed enormously, and any man who attempted to cultivate on the principle in vogue before 1880 would soon be in the workhouse. The farmer in this matter should no more be hampered than any other man was hampered in his trade. Why should he be hampered by conditions which had been laid down for cropping years ahead? The Report of the Tariff Commission just issued had referred to the enormous amount of foodstuffs imported, and it was suggested that the one remedy for increasing the prosperity of agriculture was to alter our fiscal system. That he put on one side, but he held that the House could not go wrong in encouraging enterprise and experiment among farmers. If there was any risk in it, it was well worth running, for if nobody ever took a risk no discoveries would be made. Then they were told the compensation for unreasonable disturbance clause would shatter the good relations between landlord and tenant. He did not believe a word of it, and no friend of the farmer could stand up in his place and say that the clause was a bad one, for the farmer at any rate. It was to give greater security to the good farmer that the clause against capricious eviction was introduced. It was the good tenant who would lose most by change. As to the suggestion that the labourer would get nothing out of the Bill, if good cultivation was encouraged the labourer was bound to benefit. The poor farmer would starve the land and the labourers too; it was the good farmer who would increase the prosperity of the labourer, and benefit the whole of the community by getting the best possible result from the soil. The Government had been very careful to prevent dual ownership. They allowed the landlord to do what he liked with his own, subject to his doing no injustice to the tenant farmer. He had now dealt with the three main principles of the Bill. The clause dealing with market gardens had simply re-enacted what was the original intention of Parliament, which a little judge-made law had rendered null and void. Another clause introduced enabled the tenant to repair buildings when the landlord refused to do so. That surely was not unreasonable. It was said that the Irish system was introduced by the Bill into England. The Irish system was, from the point of view of the farmer, infinitely superior to the English. Under the Act of 1881 the Irish tenant got a reduction of 20 per cent. on his rent; a further reduction of 20 per cent. under the second revision of that Act; and under the Land Purchase Act he had the equivalent of a further reduction of 20 per cent. There were a good many English farmers who would like to be able to take advantage of the Irish Land Purchase Act, under which the tenant paid instalments representing 20 per cent. reduction of his rent, and got his land as a freehold at the end of sixty-nine and a half years. It was said that the landlord was going to be robbed and the lawyer enriched. He did not think there were many tenant farmers burning with a desire to spend

6s. 8d. in lawyers' fees, nor did he believe land would be driven out of cultivation when they gave security to the capital of the cultivator. It was also said that the wealthy landlords would turn out their tenants and farm the lands themselves. If they did so they would be no longer wealthy, because he was sure they could not make farming pay. Moreover, it was contended that the Bill would be a great blow to the establishment of small holdings—as if the landlords were burning with a desire to establish small holdings all over their estates! He did not believe the Bill would transform a peaceable and punctual rent-payer into a monster thirsting for his landlord's blood. It was a moderate and a reasonable measure. At any rate, he thought the tenant farmers might congratulate themselves that in the first session of the new Government there had been passed measures dealing with fertilising and foodstuffs and the worrying of their cattle by dogs; and that now by this Bill there would be secured to the struggling cultivator of the land a reasonable prospect of security for his money.

Mr. WALTER LONG (Dublin, S.) said he did not wonder the hon. Member for the South Molton Division was so enthusiastic an admirer of the Bill, even in its considerably amended form, because he had been closely identified with it for many sessions, and was to a large extent its author. Still less did he wonder when he recollected that for a considerable time circumstances had rendered it impossible for the hon. Gentleman to take an active part in the debates upon this question. But the hon. Gentleman had been so long treading the quarter-deck of the Admiralty that he seemed almost to have forgotten what a turnip field was like. When he heard the hon. Gentleman comment on the usual practice of landlords and sportsmen to pursue their neighbours' game in the early days of the season he realised for the first time what an evil influence the freedom of a sailor's life might have on the more prosaic occupation of the agriculturist. As to the hon. Gentleman's criticism of the speech of the hon. Member for Wandsworth, he thought it was the privilege of hon. Members, irrespective of the constituencies they represented, to express their opinions upon every subject of public interest. The question was not what was going to be the effect of this or that particular clause, but would this Bill in its general effect benefit or injure the agricultural interest? He passed by the game clause because it was a matter, comparatively speaking, of very small importance. The two most important clauses were those dealing with freedom of cropping and compensation for unreasonable disturbance. He was glad to see present the hon. Member for Barnstaple, who took a prominent part in the earlier stages of the measure. After his absence he must have gazed upon his altered offspring with startled eyes. It was gratifying to know that he looked upon all the changes as satisfactory. The clause which dealt with freedom of cropping had been practically eliminated and the new clause was practically one moved by an hon. friend of his own and not by the Government. Of the clause which dealt with compensation for disturbance the same might be said. The conditions which were to precede disturbance were so stringent that they took away a large part of his objections. The Solicitor-General for Scotland had sought to prove that this freedom of cropping was really introduced by the Act of Parliament for which he (Mr. Long) was responsible. The hon. and learned Gentleman had expressed surprise that he should be so unwilling to accept the honour of being the founder of this new principle. But surely that surprise must be mutual. Why did the Government waste time on this clause if they found the principle already in existing Acts of Parliament, and why were they so anxious to thrust upon his unwilling shoulders the glory of what he said they had done? The hon. and learned Gentleman did not now appreciate the effect of the clause dealing with temporary pasture. That provision dealt with the custom of farming under what was called the "four-course system" and had nothing whatever to do with the permanent alteration of the character of the holding. But if the hon. and learned Gentleman believed that the late Government gave freedom of cropping by the Act of 1900 he did not agree with him, and he thought any practical farmer would disagree with him too. But if it was done under the Act of 1900, why did the Government seek to do it now? This was an extension of the principle introduced by the Act of 1900, and that in itself was a full and sufficient reason for the Government's dealing with the question. But he did not think they had made good their case that the Unionist Government in their Act of 1900 either dealt with freedom of cropping or interfered with freedom of contract. It had been pointed out that the Unionist Government dealt in that Act under Clause 6 with penal rents. What was the position of penal rents at that time? They had an ancient existence, but they were at that time practically abandoned throughout the whole of the agricultural world. There was not a practical agriculturist at that time, or at the present time, prepared to advance the argument that the penal rent clause was any real part of the agreement entered into. Those penal rents, however, were abolished under Clause 6 of the Act of 1900. To advance the mere abolition of penal rents, which though in existence had to a large extent been abandoned, and the introduction into an Act of Parliament of what had been the custom for years all over the country, as a justification for interference with contracts was to stretch precedent very far indeed. The hon. Gentleman the Member for South Molton had been very eloquent on two special subjects, the arbitration clause and Clause 4. In regard to the arbitration clause the hon. Gentleman had cited a case where arbitration had taken place only after long delay and great expense. No doubt under a law which gave an alternative course such delay might occur, but the great bulk of the agriculturists of England and Wales believed that they ought to be given freedom to select between one arbitrator and a plurality of arbitrators. Under the Act of 1900 they might resort to a single arbitrator unless the parties otherwise agreed. And it was better that it should be left in that way. The right of an individual to appoint his own valuer could not be interfered with. In his belief the provision, in the opinion of many tenant farmers, was unnecessary; and therefore it ought not to go into the Bill. The hon. and learned Gentleman indicated that he (Mr. Long) had been a sort of public benefactor in making an experiment which resulted badly; but the hon. Gentleman who had just sat down had asked that experiments should be made and risks run at the option and will of the occupying tenant, and the ultimate result, if unsatisfactory, was to fall upon the landowner. Many agricultural experiments could only be tested at the end of a considerable period of time, and it was impossible under a series of years to know whether the money had been well or ill spent. A farmer might quit his holding before an experiment came to maturity, and his compensation would not represent the ultimate value to the future occupier. Therefore the Bill would encourage experiments by one person at the risk of another. All this turned upon the question he referred to at the commencement of his remarks—was it for the general benefit of agriculture or not? The hon. Member for Barnstaple had referred with regret to Mr. Rider Haggard's letter in *The Times*, but nobody could doubt the immense trouble the writer had taken to make himself acquainted with agricultural affairs, and his absolute sincerity in his efforts to lend help and guidance on the subject. Mr. Rider

Haggard had pointed out with unanswerable force the effect the Bill would have on small holdings. The varying emotions among Members on the other side of the House were perhaps due to an increasing perception of this fact. He asserted without fear of contradiction that the Bill would have a deterrent effect on the creation of small holdings. They were not going to interfere with the creation of small holdings by merely giving the sitting tenant an increased security in his holding. He agreed with the Solicitor-General for Scotland that in those clauses, which were so objectionable in this respect in their earlier form, there was little now to which a practical agriculturist could take objection. But would not any landowner who desired to break up his property into small holdings be bound to ask himself what would be his liability towards those who occupied his land? There was no branch of agriculture more experimental or more fraught with risks in its earlier stages than the creation of small holdings. It was practically impossible for the owner to have knowledge of the amount of capital a man wishing to take a small holding had in relation to the work he had to do. In the majority of cases the small holder had little or no capital. What was the cry of hon. Gentlemen opposite? They called in question this argument of his, and yet they told their constituents that the remedy for agricultural depression was to bring the agricultural labourer back to the land. It was only here and there that a man had saved £150 or £200 or was fortunate enough to get such a sum lent him, but in the majority of cases they hoped by unremitting labour eventually to make the holdings self-supporting. They were obliged in the first instance to appeal to the good-will, and, it might be, the generosity of the land owner. They said " Give us our chance, and we will prove worthy of it." Many landowners had given these men their chance, and often they had found the men to be abundantly worthy of it. But now it was to be deliberately enacted that every one of these new tenants was to be an additional difficulty in the development of property if development in another direction hereafter seemed desirable. It was very doubtful indeed if the Bill would give any assistance in the direction of the extention of healthy agriculture. The hon. Member for Barnstaple had told the House very naively that the President of the Board of Agriculture had been up and down the country speaking about this Bill. The President of the Board of Agriculture had indeed been industrious in cultivating opinion in favour of the Bill, but there was little foundation for the statement that the great mass of farmers desired that it should become law. If it was true, as Lord Carrington had said, that this was a most important Bill on a matter of great urgency, and every man desired to see it pass, how was it that a Government so full of benevolence towards the agricultural community had not themselves thought of producing a Bill, but were content to take up and adopt this Bill, which had been left a deserted orphan on the floor of the House? What was the course he ought to take who had been very closely connected with this Bill from its beginning? At all events he could claim to be disinterested in his action, because his constituents were in no way affected by it. He had objected to the Bill from the beginning, and he thought there was much in it even now that was bad. He thought it was thoroughly bad so long as it contained in their original form the three clauses to which he had alluded. But in the later stages of the Bill the Government had done all that could be expected of them to meet fairly and frankly the criticisms of hon. Members on his side of the House. Although he did not like the Bill even in its later form, after what had happened on the Report stage he would be very reluctant to vote against the Third Reading, for he regarded the position as one in which the Government had gone a long way, in opposition to the views of many of their supporters, to meet several of the objections of the Opposition. He said without hesitation that there were no hon. Members on the Opposition side afraid to give expression to their views in the lobby, and the only reason which would prevent anyone from voting for the rejection of the Bill was the feeling that the Government had gone far to meet the Opposition and had accepted many of their Amendments.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs) said there was no man in the House for whom he had a more sincere admiration and respect than the right hon. Gentleman who had just sat down. Apart from his abilities, he had some of the very best Parliamentary qualities. He had courage and straightforwardness, he was good natured, and he had adroitness. He had never known the right hon. Gentleman's adroitness more conspicuously displayed than it had been this afternoon. The Government had had some difficulty in supporting the Parliamentary declamation to which they had been subjected for the last week or two upon the subject of this measure. If they tried to give some compensation for the depredations of game, they were held up as if they were destroying the very foundations of the British Empire. If they thought that a man ought to be entitled to pursue his avocation without being interfered with, and to be more secure than he was in the results of his industry and enterprise, they were told that they were breaking up the agricultural system of the country and bringing ruin upon the farmer and the landlord alike. But they kept up their spirits, because they were not without recent experience, and they wondered whether this was to be a case in which hon. Gentlemen were going to die in the ditch on the Second Reading, and again die in the ditch on the Committee stage, and pursue that process on the Report stage, and then after all discover that the best thing for them to do was to pull themselves together in order to escape, if possible, the necessity of dividing. [OPPOSITION cries of "We are going to divide."] Hon. Gentlemen who divided would not have the authority of the right hon. Gentleman. He half expected them to follow the most recent example and dismiss the Bill with something very like a blessing or, at all events, with a mildly phrased passport on its journey along the corridor to the other place where its friends were waiting to receive it. He admitted that there were qualifying circumstances in this case, because the right hon. Gentleman had acknowledged that the Government had gone very far to meet the most virulent objections to the Bill, and he had based his acquiescing attitude on that ground. The Government were accused of having committed almost a Parliamentary offence in taking up a private Member's Bill and treating it as their own. It was a Bill with which the House was very familiar; there was a very strong body of opinion in favour of it, among those who entertained that opinion being the members of the Government and the leading Members of the Party. Therefore, it was a Bill with whose general aims and scope the Government entirely sympathised. The Bill might have, and did have its faults. It was read in the House by a huge majority without the closure, and in Grand Committee it was materially altered and many of its faults were removed. It was considered in the House during two days on Report. In these circumstances the Government had to consider whether they would let the Bill drop or give it their assistance, lick it a little more into shape, and do their best to pass it into law. He thought they had taken the proper course. The whole argument in this matter depended on the view they took of private Members' legislation generally. If private Members existed only for the purpose of furnishing a peg on which to hang an academic debate called a Second Reading, then, no doubt, the Government had pursued a novel course. But that was not only treating private Members with scant courtesy, it was also shutting out a great means of effective legislation. When a Bill was so far advanced as this one was, it was the duty of the Government to turn the opportunities and labours of private Members into a reality, and to carry out what had been proved to be the general desire of the House. They had been told a good many things about this Bill. They had been told, for instance, that it created dual ownership, and that was supposed, upon the example of Ireland, to be a very evil state of affairs. He was not convinced of that. He had heard better arguments designed to prove that the reason dual ownership failed in Ireland was that it could not exist side by side with a system of land purchase. But if single ownership were to be defended on the ground of denial of reasonable rights to the tenant it was a very bad advertisement for single ownership. However piously the fact might be disguised by phrases, dual ownership existed in this country already. The whole series of Agricultural Holdings Acts involved dual ownership. They gave the tenant certain rights of which the landlord could not dispossess him. Therefore, the landlord was not the free single owner of the property that he considered himself before; and it was a mere question of degree how far the principle should be extended. Then it was rather inconsistently said that the Bill was unnecessary because the vast majority of landlords did these things already without being told to do so by the law. If no landlord evicted a tenant capriciously, if every landlord gave generous compensation for the damage done by game, never raised the rent on the tenants' improvements, and never put impediments in the way of free cropping, how would this Bill affect him? But was not Parliament bound to protect the tenant from the capricious, selfish, or foolish landlord? Then it was said that the Bill would stand in the way of the introduction of a system of small holdings. The Government were entirely in favour of small holdings, but the small holder required these advantages just as much as the large holder; and the large majority of English farmers were now small holders. Those gentlemen who were so solicitous about not discouraging small holdings might sleep quietly of nights, because he did not think it would be very long before the Government attempted to deal on a large scale with the question. The hon. Member for Wandsworth had said that he did not know what good this Bill would do to the community at large. The more the tenant farmer's hand was strengthened and his scope enlarged, the more security that was given him, the greater would be the productiveness of the soil, the greater would be the number employed, and in every way the community would be benefited. They had been asked very frequently in the last few years, "What are you Liberals going to do for agriculture?" The question had been principally asked, not by the farmers, but by the friends of the farmers who were tariff reformers. Now the tariff reform landlords were to be seen marching into the lobby against this protection for the farmers. His friends were anxious to protect the farmer from the foreigner; but to give him legal protection for his crops and improvements — perish the thought! The Amendment was based on the allegation that the Bill involved a breach of contract. But the right hon. Gentleman opposite, speaking of his own Bill in 1900, said it was undoubtedly true that one of the clauses made "a serious breach in the existing law with regard to contracts that had been already made." So that the right hon. Gentleman at least was not squeamish on this point. But was there freedom of contract at present? Was the tenant able to make a perfectly free contract? In one sense he was, and in another sense he was not; for he was hindered and bound by conditions which did not leave him in a state of freedom. But he did not wish to be misunderstood. The great bulk of landlords in this country were most estimable, amiable, wise, and sensible men; and he had perfect confidence in them. Under their administration the tenant had nothing to fear. But it was necessary to protect the tenant from the landlords who were foolish. The relations of landlord and tenant had been spoken of as co-partnership. If that were so, what was the harm of putting the terms of the partnership in black and white? It was not fair that one of the partners should claim control and management, and that the other should not have a similar claim. In his belief this was a moderate, reasonable, and some of his hon. friends thought, even an imperfect step in advance; but it certainly was a step in advance, and he believed that nothing could be done which would be more beneficial to the country than the passing of such a measure as this. In his judgment it was capable of giving greater opportunity and fresh life to the great industry of agriculture.

LORD R. CECIL (Marylebone, E.) said the Prime Minister had many admirers in the House, and among the many qualities he possessed was that of courage, of which he required some amount when he ventured to taunt the Members of the Opposition with a want of consistency. If there was one quality which this Government had shewn throughout this session it was that they had been always ready to abandon their most strongly expressed opinion when sufficiently pressed by one section or another of their supporters. It would be impossible, and altogether unfitting for them, at this hour to attempt a prolonged argument on this Bill, but he wished to say that so far as he was concerned, so long as Clause 4 formed part of the Bill, he should feel it his duty to oppose it in the division lobby and in every other way he could. The Prime Minister had said he was not afraid of the charge that Clause 4 established dual ownership, and the right hon. Gentleman had gone on to say that in his judgment dual ownership already existed. The right hon. Gentleman had not heard the extremely elaborate argument of the Solicitor-General for Scotland to show not only that dual ownership did not exist at present, but that it could not be established by this Bill. Unquestionably the rights of the landlord were very materially diminished by Clause 4 of the Bill, and diminished in respect of his right to obtain possession of the land. It was true that it only diminished that right to the extent that he had to pay damages for the exercise of his rights, but that was the only way the law could attack the rights of anyone. His objection to Clause 4, however, was rather deeper than that. Of Clause 4 it might be said that it was "willing to wound and yet afraid to strike." It established a principle which he believed to be thoroughly pernicious, but it established it with such safeguards and so many entanglements and hampering conditions that in point of fact it would be of no service to those people whose interest it was supposed to serve. It would not remedy a single grievance, but it would establish for the first time a principle of very wide and dangerous application. He did not think it would be maintained that a landlord was entitled to exercise his strict legal rights without regard to the principles of equity, justice, and compassion. He did not consider the landlord was in any better or worse position in that respect than any one else, and he did not believe for a moment that as a class landlords did exercise their rights with less regard to those considerations than any other class. What he held was that this Bill, which they had been perpetually told was aimed at bad landlords, would, in fact, hit good landlords. It would not touch the bad landlords. Men of great wealth and little scruple would always be able to get round such flimsy legislation. A man, say, who had made his fortune in the city and went into the country and purchased the estate of an impoverished landlord, could turn a good tenant out at short notice thereby causing hardship and injustice. It would be always open to say that such action was consistent with good estate management or that there was due and reasonable cause for the action. The clause would be of no use whatever. A good landlord, however, would find it difficult to substantiate his action, even though of the best, in a Court of law. It was not uncommon for a tenant to treat his labourers badly, and for the labourers to appeal to the landlord for protection. The only protection the landlord could afford the labourers was to tell the tenant that he would get rid of him unless he behaved better. In such a case it would be exceedingly doubtful whether that could be said to be a question of good estate management, and it would diminish the power of the good landlord to protect the labourer, which was of the utmost importance to the labourer in many country districts, while it would not in any way diminish the power of the bad landlord to exercise his rights arbitrarily and unjustly. The whole of this clause was an anachronism and belonged to an era when the Liberal Party were impregnated by a spirit of blind hatred and dislike of the landowner class. He believed that feature in politics was passing away. He believed the Labour Members and the Labour vote would not be affected nearly to the same extent by feelings of that kind. He believed that the Socialist vote would be much more favourable to the landowner than the old individualistic capitalist. No one who had ever considered Socialism seriously would be without a very considerable admiration for the fundamental principles upon which Socialism rested. Individualism, after all, rested only upon the principle of self-interest; but Socialism substituted the principle that the individual should do his duty by the State. Personally, he believed the socialistic principle could not be attempted safely, and he doubted very much whether, human nature being what it was, it could be ever attempted safely. But he did say that the fundamental principle of Socialism, which was opposed to the principle of self-interest as the only motive of legislation, called for respect and admiration. He said further, that the principles on which land-owning had so far been carried on had far more affinity to the principles of socialistic legislation than any other industry in the country. The general desire of the landowner in dealing with his estate was to do the best, not only for himself, but for the whole interests of the estate, treating the tenants, labourers, and himself as part owners and jointly interested. The great evil of a Bill of this kind was that it substituted for the admirable understanding which had hitherto existed between the landlord, tenant, and labourer a hard and fast set of rules to be found in Acts of Parliament and enforced by law. It was a retrograde step. It was going back to the worst form of individualism, and it belonged to a period of legislation that was passing away. Such legislation was dictated by class jealousy and envy, and its passing would not conduce to the true interests of the country.

Question put.

The House divided:—Ayes, 260; Noes, 27. (Division List No. 433.)

AYES.

Acland, Francis Dyke
Allen, Charles P. (Stroud)
Ambrose, Robert
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Atherley-Jones, L.
Baker, Joseph A. (Finsbury, E.
Baring, Godfrey (Isle of Wight)
Barlow, John Emmott (Somers't
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beaumont, Hn. W.C.B.(Hex'm)
Beck, A. Cecil
Bellairs, Carlyon
Bethell, Sir J.H.(Essex, Romford
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Boland, John
Bolton, T. D. (Derbyshire, N.E.
Boulton, A. C. F. (Ramsey)
Brace, William
Branch, James
Brodie, H. C.
Brunner, J.F.L.(Lancs., Leigh)
Brunner, Rt.Hn.Sir J.T.(Chesh.)
Bryce, Rt.Hn.James (Aberdeen
Bryce, J. A. (Inverness Burghs
Buchanan, Thomas Ryburn
Burke, E. Haviland-
Burns, Rt. Hon. John
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt.Hn. Richard Knight
Chance, Frederick William
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer
Clancy, John Joseph
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Coats, Sir T. Glen (Renfrew, W.
Cogan, Denis J.
Collins, Stephen (Lambeth)
Collins, Sir Wm.J.(S.Pancras, W
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C.H.(Sussex, E.Grinst'd
Cotton, Sir H. J. S.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Crombie, John William
Crooks, William
Crossley, William J.
Dalziel, James Henry
Davies, M. Vaughan-(Cardigan)
Davies, Timothy (Fulham)
Delany, William
Dickinson, W.H.(St.Pancras, N.
Dillon, John
Dobson, Thomas W.
Donelan, Captain A.
Duffy, William J.
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Elibank, Master of
Esmonde, Sir Thomas
Essex, R. W.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Findlay, Alexander
Flavin, Michael Joseph
Flynn, James Christopher
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt.Hn. Herbert John
Glendinning, R. G.
Gooch, George Peabody
Grant, Corrie
Greenwood, G. (Peterborough)
Gulland, John W.
Gurdon, Sir W. Brampton
Halpin, J.
Hardie, J.Keir (Merthyr Tydvil)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Hedges, A. Paget
Henderson, Arthur (Durham)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Hope, W. Bateman (Somerset, N
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Isaacs, Rufus Daniel
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea
Jones, Leif (Appleby)
Joyce, Michael
Kearley, Hudson F

Kekewich, Sir George
Kennedy, Vincent Paul
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, SirJosephF.(Accrington
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Lynch, H. B.
Mackarness, Frederic C.
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Kenna, Reginald
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G. Croydon (Launceston
Marnham, F. J.
Massie, J.
Masterman, C. F. G.
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morgan, J. Lloyd (Carmarthen)
Morrell, Philip
Morton, Alpheus Cleophas
Murnaghan, George
Murray, James
Myer, Horatio
Napier, T. B.
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Grady, J.
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Malley, William
O'Shaughnessy, P. J.
Paul, Herbert
Pearce, William (Limehouse)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Robt. John (Norfolk, E.)
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, T.F.(Wolverh'mpt'n
Rickett, J. Compton
Roberts, Charles H. (Lincoln)
Roberton, J. M. (Tyneside)
Robson, Sir William Snowdon
Rowlands, J.
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E.(Manchester)
Sears, J. E.
Seaverns, J. H.
Shaw, Charles Edw. (Stafford)
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Smyth, Thomas F. (Leitrim, S.
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn.A.Lyulph(Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Sullivan, Don
Tennant, SirEdward(Salisbury
Thomas, Abel (Carmarthen, E.
Thomas, DavidAlfred(Merthyr
Thompson, J.W.H.(Somerset,E
Torrance, Sir A. M.
Ure, Alexander
Walker, H. De R. (Leicester)
Wallace, Robert
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Ward, John (Stoke upon Trent)
Wason, Eugene (Clackmannan)
Wason, JohnCathcart(Orkney)
Waterlow, D. S.
Watt, H. Anderson
Whitbread, Howard
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Hon. C. H. W. (Hull,W
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Anstruther-Gray, Major
Banbury, Sir Frederick George
Bowles, G. Stewart
Boyle, Sir Edward
Butcher, Samuel Henry
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Craik, Sir Henry
Dalrymple, Viscount
Dixon-Hartland, SirFredDixon
Fell, Arthur
Fletcher, J. S.
Gardner, Ernest (Berks, East)
Harrison-Broadley, Col. H. B.
Hervey, F.W.F.(Bury S.Edm's
Lambton, Hon. Frederick Wm.
Nicholson, Wm. G. (Petersfield
Pease, HerbertPike(Darlington
Percy, Earl
Ropner, Colonel Sir Robert
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Thornton, Percy M.
Vincent, Col. Sir C. E. Howard
Wilson, A.Stanley (York, E.R.)
Wolff, Gustav Wilhelm

TELLERS FOR THE NOES—Sir Henry Kimber and Mr. Carlile.

Main Question put, and agreed to.

Bill read the third time, and passed.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of 4th August last.

Adjourned at two minutes after Five o'clock till Monday next.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Monday, 26th November, 1906.

REPRESENTATIVE PEER FOR SCOTLAND.

The Lord Chancellor acquainted the House that the Clerk of the Parliaments had received (by post) from the Lord Clerk Register of Scotland minutes of the election of the Earl of Rothes as one of the sixteen Peers of Scotland, 8th November last, in room of Ronald Ruthven Earl of Leven and Melville, deceased; and separate return by the Lord Clerk Register of certain titles of Peerage called at the said election, in right of which respectively no vote had been received and counted at any election for fifty years then last past (pursuant to Act 14 & 15 Vict. chap. 87.). Ordered, that the said minutes of election, etc., be printed. (No. 217.)

PRIVATE BILL BUSINESS.

Edinburgh Corporation (Superannuation) Order Confirmation Bill. Brought from the Commons and read 1^{a}; to be printed; and (pursuant to the Private Legislation Procedure (Scotland) Act, 1899), deemed to have been read 2^{a}. (The Lord Hamilton of Dalzell), and reported from the Committee.

PETITION.

EDUCATION (ENGLAND AND WALES) BILL.

Petition against; of inhabitants of Hatherop. Read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

ARMY.

Report of the War Office Committee on promotion to colonel and general.

POLICE (ENGLAND AND WALES).

Return relative to the appointment of matrons at police stations and police courts.

Presented (by Command), and ordered to lie on the Table.

WEIGHTS AND MEASURES ACT, 1878.

Order in Council, dated 16th November, 1906, approving certain new denominations of standard measures of length.

GREENWICH HOSPITAL ACT, 1865.

Order in Council, dated 16th November, 1906, sanctioning the payment of Greenwich Hospital special pensions to persons residing in his Majesty's Dominions abroad, in the same way as if they resided in the United Kingdom.

Laid before the House (pursuant to Act), and ordered to lie on the Table.

OFFICIAL SECRETS ACT.

LORD **ELLENBOROUGH**, who had the following Notice on the Paper, "To call the attention of the House to a statement made by the First Lord of the Admiralty on the 23rd of July, in which he said that 'most elaborate instructions were being drawn up to be given to captains of merchant vessels,' in case of war or imminent danger of war; and also to ask His Majesty's Government what punishments could be inflicted under our present laws on alien officers serving on board of British ships in the event of their infringing or divulging the secret instructions confided to them, and thus increasing the risks incurred by other British vessels; and if, on inquiry, such punishments are found to be less severe than the penalties to which officers of British nationality would be liable, whether His Majesty's Government would bring in a Bill to put the alien officers of British ships in the same position as British subjects as regards punishment for such conduct," said: My Lords, as your Lordships will have an opportunity of discussing the subject of alien captains when the Merchant Shipping Bill comes up for Second Reading to-morrow, I beg to put without further comment the Question that stands in my name.

THE FIRST LORD OF THE ADMIRALTY (Lord TWEEDMOUTH): My Lords, I am sure I am voicing the feelings of your Lordships when I congratulate the noble Lord on the happy prospect that is opening up before him. The noble Lord has put to me something in the nature of a legal conundrum rather than anything else, and I think the best thing I can do by way of answer is to read the opinion of the Law Officers of the Crown which I took on the subject.

The Law Officers report that under the law of high treason, (*a*) officers who are British subjects would be liable for communicating to the enemy secret information to the prejudice of this country wherever the offence was committed; (*b*) aliens employed as officers on British ships would incur the same liability if such information were communicated either on the high seas or in the territorial tidal waters of any other State. It is probable, but not certain, that this liability would attach even though the information were communicated on foreign territory, provided the alien officer retained at the time his position on the British vessel to which he was attached. Under the Official Secrets Act (*a*) officers who are British subjects would be liable for communicating secret information within the meaning of that Act anywhere; (*b*) alien officers would clearly be liable if the communication were made within His Majesty's dominions in the ordinary sense of that term, and probably, though not certainly, the Court would hold that this expression applied to a British ship on the high seas and in the tidal territorial waters of other States. No distinction is made between the punishments imposed on British subjects and aliens after conviction. Of course there is no intention of giving any great opportunity to captains to distribute information as to the intentions of the Admiralty. The idea really is that we are to have all the instructions drawn up; and then, if necessity arose, instructions for a particular voyage would be given to the captain of a particular ship as to the course he ought to take in the event of dangers arising.

LABOUR RECRUITING.

*LORD HARRIS: My Lords, I rise to ask His Majesty's Government whether it is true—(1) That effective licences to recruit in Portuguese East Africa for the mines in the Transvaal have been or are about to be issued to Mr. J. B. Robinson; (2) that the Colonial Government of Portuguese East Africa has objected and still objects to the issue of more than a licence for one individual; (3) that Diplomatic pressure has been brought to bear to force the Colonial Government to issue more than one licence against their will; (4) and that His Majesty's Government will similarly assist other groups of mining companies to obtain the same privileges; and to move for Papers.

On two occasions during the summer I addressed Questions to the noble Earl the Secretary of State for the Colonies on this subject, and, relying on the very frank statement he made that he had nothing to conceal, I am proposing to give him the opportunity of affording your Lordships the fullest possible information upon the steps that have been taken by the Foreign Office to assist the noble Earl in his policy as regards labour in South Africa. Perhaps I may be permitted to recapitulate very shortly what I stated on those occasions. Previous to the war the mining houses, feeling how detrimental was the system under which recruiting went on for the mines, and the grave objections that there were to many of the processes which had been introduced in the shape of touts and the resources they adopted to filch recruits away from other touts, decided that it was necessary to form a system of co-operation, and during the war that co-operative system was founded and it subsequently came into effect.

One of the principal results of the co-operative system was that it assisted the weakest mining properties; that is to say, the chain was no stronger than its weakest link. The scale of remuneration had to be adapted to the means of the poorest mine. Therefore, the wealthier mining houses had to forego some of the advantage which they could have secured by their larger capital and larger resources. The system of co-operation was certainly advantageous in doing away entirely with the objections—I think I might use a stronger term and say the iniquities—which were prevalent under the touting system. In order to carry out co-operation effectively the acceptance of the system had to be secured from the Governor-General of Portuguese East Africa, and that officer, having also experience of the objections that existed under the touting system, did approve of the Witwatersrand Native Labour Association being, with its officers, permitted to recruit within the colonial territories of His Most Faithful Majesty. That system went on. I do not pretend to say it was absolutely perfect.

It is said that if other methods had been adopted more recruits could have been obtained. It is within the experience of every mine manager on the Rand that men come to him and say, "If you will give us an order we will bring in so many thousand recruits." These are only statements, very often put forward by men who are dissatisfied with the abolition of the old touting system. There is no proof whatever that competition would be any more successful in securing recruits than the system adopted by the Witwatersrand Native Labour Association. Then last summer the noble Earl announced that His Majesty's Government thought it would be advantageous to obtain for a group—the Robinson group—a licence to recruit in Portuguese East Africa, and I took the liberty of pointing out at the time that this change of policy would inevitably lead to competition and might partially reintroduce those objectionable practices which had been swept away with the old touting system. I pointed out that this was largely a matter of local concern, and I did not understand why the noble Earl was interfering with the local arrangements of a colony which was so shortly to receive local self-government. However, His Majesty's Government were positive that it would be advantageous to introduce competition.

My information—and I believe it to be quite as reliable as that of the noble Earl—is that the Portuguese Government object in the strongest possible way to competition being reintroduced. They had experience of what went on as regards His Most Faithful Majesty's subjects under the old system, and they entertain the strongest possible objection to anything of the kind being reintroduced. They have had some years experience of the methods of working of the Witwatersrand Native Labour Association; they know the men who are trusted as recruiters, and they prefer to go on with that system. But my information is that His Majesty's Government have brought every possible diplomatic pressure to bear upon the Governor-General of Portuguese East Africa to compel him, if possible, to grant what I have described as effective licences. The result of the noble Earl's negotiations last summer was that, after some pressure I believe, the Governor-General did issue a licence to the nominee of the Robinson group. It was a licence for an individual only and did not convey rights or powers to any delegates; and the Robinson group, so I understand, find that that is not an effective licence, and they have, I presume, approached the Government to induce them to use their diplomatic power to obtain further licences for a number of recruiters.

A licence for one individual is, I suppose, found ineffective, and the Robinson group is not getting anything like the number of boys that it received when it was a member of the Witwatersrand Native Labour Association. The Robinson group was one of the original members of the association, and remained a member until quite recently, when, having broken the rules, it was invited to withdraw, and it did withdraw, and it is no longer a member of the association, though it can become so at any moment by complying with the rules. I want your Lordships to understand clearly what will be the effect of competition if the policy of the noble Earl results in competition, as I think it must. The wages of Kaffirs in South Africa are already extortionate, and the poorer mines can ill afford to pay even the present rate. If the wages and the expense of bringing East African Kaffirs to the mines are increased, as they inevitably will be by competition, it is highly likely that the margin of profit now made by many of the smaller mines will be swept away, and it will be a matter for the consideration of the directors whether they can go on working at all. If the mines are closed it will result in a certain number of Europeans losing their employment. There is no doubt that that will be the effect if the wages of the Kaffirs rise.

What I want the noble Earl to understand is that it is inevitable, if this pressure which I am given to understand he is causing to be brought to bear on Portuguese East Africa is successful and effective licences are granted, that the result must be competition — for this reason, that the supply being limited the Robinson group will undoubtedly try to secure the best boys and will give a longer price either in wages or in the initial bonus to the Kaffir. In one way or the other, prices will be raised by a system of competition. The effect will not be only as regards the mines; many other industries in South Africa will be affected. As I have already pointed out, the result of co-operation is that the general body of mines have to adapt their rate of wages to the capacity of the weakest mines, and if some of these mines have to discontinue working and cease to be members of the association they will undoubtedly approach His Majesty's Government in the same way as the Robinson group did and ask to be allowed to obtain effective licences to recruit in Portuguese East Africa. I ask the noble Earl, who has nothing to conceal, what answer he would give to such an application. If his answer is that he would not endeavour to secure effective licences for any other groups, I would ask him to explain why one group is to be treated more favorably than another, why partiality is to be shown to one group, and why others are not to receive the same favour. I cannot think that your Lordships will hold this to be a very dignified position on the part of Great Britain. If it was for some great object I could understand diplomatic pressure being brought to bear upon a not very wealthy, not very important, and not very large Portuguese Colony. But what is the object? I cannot see that there is any other end than to attain some very petty advantage for the party and the policy which the noble Earl represents. I daresay the gentlemen who represent them out there, the engineers who are somewhat discredited—your Wybourgs and your Creswells — will make some capital out of it. But is that a very dignified proceeding on the part of His Majesty's Government?

I cannot understand what the object of the noble Earl is. The Government profess to desire, so I understand it, that Chinese labour shall cease in South Africa, and they profess to believe that there is plenty of native labour. They will not accept the opinions of the two Commissions which have reported that there is not sufficient labour in South Africa. They will not recognise the facts as regards the cost of native labour, and they are now pursuing a policy which, in my opinion, and in the opinion of every one who has gone into the matter closely, must inevitably lead to the raising of the cost of labour—a result which will effect not only the mines, but every industry. Under these circumstances I think I am justified in submitting the Motion that I do for Papers to be laid on the Table, in order that your Lordships may understand what are the communications that have passed between His Majesty's Government and the Government of His Most Faithful Majesty on the subject of recruiting in the Colony of Portuguese East Africa.

Moved, "That an humble Address be presented to His Majesty for Papers relating to the issue of licences to recruit in Portuguese East Africa for the mines in the Transvaal."—(*Lord Harris.*)

*THE SECRETARY OF STATE FOR THE COLONIES (The Earl of ELGIN): My Lords, in reply to the first part of the noble Lord's Question, I have, of course, to say that it is our desire that effective licences to recruit in Portuguese East Africa should be issued to Mr. Robinson. I have said so before and I repeat it again. With regard to the two following Questions I am put in rather a difficult position by what the noble Lord has just said, because he has informed your Lordships that he is in possession of information to which he attaches more importance than to anything that I can say. In these circumstances it is rather hopeless for me to attempt to convince him.

*LORD HARRIS: What I said was that I believed my information was quite as reliable as that possessed by the noble Earl. I did not say that it was more important.

*THE EARL OF ELGIN: The noble Lord said he considered it quite as reliable, and I can see from the tone of his speech where he would place the reliance most implicitly. I have only to say, with regard to the negotiations—I object to the term "diplomatic pressure"—which have taken place with the Portuguese Government, that it is not the case that they have been in any way unfriendly. Certain questions have arisen which have necessitated correspondence, and delay has ensued which is not unusual in such circumstances; but the Portuguese Government have expressed a desire to meet our wishes, and the negotiations are still proceeding. Until they have been concluded I cannot, of course, go into details, and I cannot lay the Papers upon the Table of the House.

With regard to the fourth Question of the noble Lord, it seems to me to presuppose one of two things—either that there should be further secessions from the Witwatersrand Native Labour Association or that the association should entirely break up. I have seen both suggestions made, but I am not quite sure from the noble Lord's speech to which he inclines. I can say—and the noble Lord challenged me on the particular point that I had nothing to conceal—that I have nothing to conceal in this matter. In either case we should certainly wish to deal fairly with those members of the association. If it were a question of secession, I do not see that we could object to applications being lodged for further licences, and we should certainly consider them fairly, subject to the conditions which were imposed upon the Robinson group, namely, that we were satisfied from the substance, the *status*, and the responsibility of the group that good management could be secured. If, however, it were a question of the break up of the association as a whole, I think, perhaps, it would be right for the Government of the Transvaal to be satisfied that a scheme of groups would really cover the whole situation.

But while I say this, and while I mean what I say that we should wish to deal fairly with any applications of the kind, I think it is right to point out to the noble Lord, of which, indeed, his Question and his speech are very good evidence, that there would be great possibilities of delay in the matter, not only under the same circumstances as have occurred in the one with which we are now dealing, but also because, as, I think, your Lordships have been informed, we have engaged with the Portuguese Government that we would not apply for more than a licence for one additional group until an inquiry had been held into the whole question. I cannot tell how long an inquiry of that kind would take, but pending that inquiry it would no doubt be impossible for us to support the issue of fresh licences. I may, perhaps, remind the noble Lord of what he is no doubt well aware, that this proposal for an inquiry was supported, if, indeed, it was not originated, by the Chamber of Mines itself in July last. In these circumstances I think it might be imprudent for members of the Witwatersrand Native Labour Association to separate themselves from the association with undue haste, because undoubtedly there might be delay in their obtaining the other licences on which they would rely for their recruiting. I hope the noble Lord will allow me to say that I make this observation as a friend. I have no wish, and have never had any wish, to quarrel with the Witwatersrand Native Labour Association. On the contrary, I think that I have admitted before, and I am willing to say it now, that I entirely agree that the methods which were adopted under the authority of that association were a great improvement on those that existed before. We have said most distinctly that we wanted nothing less than the resurrection of those old methods. But, my Lords, what I ventured to insist upon on a previous occasion, and what I must repeat, is that the association is throughout entirely a voluntary association. It is, I believe, constituted by articles of association, and I think the noble Lord himself has said that any member can retire from the association, or, as he put it, be expelled.

*Lord HARRIS: I did not use the word expelled.

*The Earl of ELGIN: I thought the noble Lord said that——

*Lord HARRIS: I said that Mr. Robinson was asked to withdraw as he had broken the rules, and he did withdraw.

*The Earl of ELGIN: I think it comes to nearly the same thing. At any rate, the noble Lord said that a member might be asked to withdraw and have a right to withdraw. In that case the whole point turns, I think, on the question whether the action of the association is acquiesced in or not by its members. If it had been acquiesced in throughout I do not suppose that it would have been disturbed yet, but if it were to be put in any other position than that, it would practically become a monopoly, and all I can say is that I do not think anything would justify the creation of a monopoly officially recognised in the hands of an association of that kind. I think some of the remarks of the noble Lord were a little discouraging on that particular point. He spoke of the results of—shall I say the breaking up of the association ?—at any rate of any large secessions from the association, as meaning the closing down of the poorer mines and the increase of wages to the natives. With regard to the wages of the natives, which I suppose is the determining point in both cases, the noble Lord has said that they are exorbitant. That may be so ; I do not wish either to deny it or to affirm it ; but I think it is rather difficult to see why natives should not choose whether or not they wish to work or why they should not get for their labour the amount of money which they can legitimately procure for it. I can well understand that it is to the interest of the mining industry that even the poorer mines should not be crushed out, and personally I should be sorry to see any mines not being able to work as they have been accustomed to. On the other hand, I do not in the least advocate any inflated rate of wages for the natives. But I do say that the native of South Africa, whose whole position is one of the great problems that lie before us in the future, has, at any rate, a right to fair play and to be treated with the consideration which is due to him as a free labourer in the country to which he belongs.

*LORD HARRIS : My Lords, if the noble Earl says that the Papers are not full enough to give your Lordships the information that I suggest you are entitled to, naturally I will not press my Motion ; but I trust that Papers will be laid as soon as the noble Earl feels that they are complete. May I in reply, before actually withdrawing my Motion, point out that what the noble Earl calls a monopoly is only a monopoly as regards the East African native ; there is no monopoly as regards the whole of the rest of South Africa. What I am afraid of is that without any advantage to the natives themselves, except I admit as regards an increase of wages, the noble Earl may find as a result of his policy the introduction of a portion of that old touting system in Portuguese East Africa, which, from all the professions of his Party as regards Chinese labour, he most certainly would not wish to see introduced ; and I must repeat what I only said prophetically just now, that I cannot see the justice of selecting one particular group, and granting that group privileges without an inquiry which the noble Earl now says he will grant to no other group except after an inquiry, and he does not know how long that inquiry might take. In the meantime, if there is a break up of the association all those mining groups have got to suffer. It has been proclaimed with some bombast in another place, that the result of this confederacy between His Majesty's Government and the Robinson group is that an experiment is to be tried with white labour on that group. Perhaps the noble Earl on some other occasion will tell us how far that experiment has gone. Another result of it is that the Robinson group were able to announce with a flourish of trumpets that they resign any claim they had on Chinese labour. Those were the two political moves that the Government had in their minds in making this offer to obtain additional labour for the Robinson group. But I understand that Mr. Robinson has not obtained the additional labour sought for, and that he has no intention whatever of making this experiment with white labour. I beg to withdraw my Motion.

Motion, by leave, withdrawn.

LAND TENURE BILL.

Brought from the Commons ; read 1^a, and to be printed. (No. 218.)

House adjourned at ten minutes past Five o'clock, till To-morrow, Two o'clock.

HOUSE OF COMMONS.

Monday, 26th November, 1906.

The House met at a quarter before Three of the Clock.

PETITIONS.

EDUCATION (ENGLAND AND WALES) BILL (RELIGIOUS TEACHING).

Petition from Durham, against alteration of Law; to lie upon the Table.

RETURNS, REPORTS, ETC.

GREENWICH HOSPITAL ACT.

Copy presented, of Order in Council of 16th November, 1906, sanctioning the payment of Greenwich Hospital Special Pensions to persons residing in His Majesty's Dominions abroad in the same way as if they resided in the United Kingdom [by Act]; to lie upon the Table.

WEIGHTS AND MEASURES ACT, 1878.

Copy presented, of Order in Council of 16th November, 1906, approving certain new denominations of Standard Measures of Length [by Act]; to lie upon the Table.

EAST INDIA (BRITISH TROOPS).

Return presented, relative thereto [Address 24th July; *Mr. Henry J. Wilson*]; to lie upon the Table.

POSTAL AGREEMENT (SERVIA).

Copy presented, of Postal Agreement for an exchange of Money Orders between the Post Office of Great Britain and Ireland and the Post Office of Servia, dated the 3rd April, 20th October, 1906 [by Command]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Re-conversion of H.M.S. "Renown."

MR. NIELD (Middlesex, Ealing): To ask the Secretary to the Admiralty whether the work of re-converting the "Renown" into a battleship has now been taken in hand; if not, when the work may be expected to be begun; and whether the vessel is still officially classed as a first-class battleship.

(*Answered by Mr. Edmund Robertson.*) The "Renown" has not ceased to be a battleship or to be classed as such; but the date on which some of the secondary armament will be replaced, a matter of a few days, has not been decided.

Expenditure on Repairs to Battleships.

MR. NIELD: To ask the Secretary to the Admiralty whether he can state the sums expended during each of the last three years respectively on repairs to the following battleships: "Ramillies," "Repulse," "Resolution," "Royal Oak," "Barfleur," "Centurion," "Revenge," "Empress of India," "Hood," "Nile," "Trafalgar," and "Vengeance;" and whether the Admiralty have official Reports showing that these battleships, or which of them, are at the present time in a fit condition to take part, if required, in a fleet action.

(*Answered by Mr. Edmund Robertson.*) Including incidental charge, which for 1905–06 are approximate, the information asked for is as follows:—

Ship.	1903–1904.	1904–1905.	1905–1906.
	£	£	£
Ramillies - - -	93,464	11,306	4,660
Repulse - - -	33,567	68,496	3,858
Resolution - - -	44,923	13,870	6,613
Royal Oak - - -	7,517	15,849	37,714
Barfleur - - -	100,449	9,214	4,935
Centurion - - -	44,780	1,867	1,964
Revenge - - -	4,566	14,386	3,708
Empress of India - -	16,480	10,552	21,465
Hood - - - -	8,358	5,305	4,364
Nile - - - -	10,243	55,557	1,512
Trafalgar - - -	3,897	61,499	7,444
Vengeance - - -	5,359	6,109	49,697

There are no Reports in the Admiralty to indicate that these ships are not in a proper fighting condition.

Civil Servants—Ill-health and Resignation.

MR. SLOAN (Belfast, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it is a recognised practice in the public service to require an official, whose attendance through ill-health or otherwise has been irregular, to place his resignation in the hands of his superior or head of his department, such resignation being held over for an indefinite period, and accepted or rejected as the heads of such departments may deem expedient; whether he will cause inquiry to be made if such a practice obtains in the Congested Districts Board; and if he is aware that in one case a resignation so obtained was acted upon after the lapse of several months from its receipt; and the official concerned compulsorily retired without medical examination; whether there are similar resignations at present in the hands of the Secretary of the Congested Districts Board; and, if so, can he give particulars.

(*Answered by Mr. Bryce.*) I am not aware whether there is a recognised practice in the public service to the effect stated in the Question. In the particular case alluded to, the Congested Districts Board adopted the course which they considered to be the most lenient towards the officer in question, having regard to the fact that he had become most inefficient owing to repeated absences from duty, only partly accounted for by sickness, during a period of more than six years. When called upon to send in his resignation this officer was informed that it would be acted upon if there were any recurrence of default in the discharge of his duties. During the succeeding nine months his attendance was more irregular than before, and the Board decided that they could not retain him in their service. It was open to this officer to retire on the ground of ill-health if he could have furnished a medical certificate showing that his health prevented the proper discharge of his duties. In another case the Board have had to require an officer of similar rank to send in his resignation.

Uganda Railway Accounts.

SIR C. HILL (Shrewsbury): To ask the Under-Secretary of State for the Colonies whether it is proposed to publish the accounts of the Uganda Railway for the year 1905–6; and whether he can state what profits have been earned by its working since the close of the last financial year.

(*Answered by Mr. Churchill.*) The Secretary of State does not consider it necessary in future to incur the expense of publishing the information in a separate form, but most of it will be incorporated in the Annual Report of the East Africa Protectorate. Copies of the Annual Railway Report have been placed in the Library of the House. The profits on the working of the line for the half year ended the 30th of September were estimated at the beginning of October at £40,000.

Clerks in Irish Government Offices—Deductions from Salaries.

MR. O'MALLEY (Galway, Connemara): To ask the Secretary to the Treasury how many temporary clerks in Irish Government Departments have been appointed to the class of abstractors or assistant clerks since November, 1902, whose salaries as temporary clerks on such appointment were reduced by 10 per cent. for pension purposes, and how many whose salaries were not similarly reduced; and if he can see his way, since the number of the former is comparatively insignificant, to direct that the deductions be refunded and the present salaries of these officers increased by the amount deducted for the purposes aforesaid.

(*Answered by Mr. McKenna.*) Seven clerks have been promoted in the period and the departments specified by the hon. Member, and of these three were subjected to the 10 per cent. deduction. Each case was considered on its merits. It has been decided that promotions of this kind are only to be made in very exceptional circumstances, and the 10 per cent. deduction rule is now always applied. The fact that the deduction was not enforced in all cases in the past cannot be admitted as an argument for improving the position of others who have received normal treatment.

Wages of Dockyard Workmen.

MR. E. H. LAMB (Rochester): To ask the Secretary to the Admiralty, in connection with the promised reorganisation scheme in His Majesty's Dockyards, whether he can see his way to grant an all-round increase in wages of 2s. per week to all dockyard workmen with an extra increase for chargemen; and whether he will make the retiring age fifty-five instead of sixty, without reducing amount of pension.

(*Answered by Mr. Edmund Robertson.*) The Admiralty are unable to make any statement on the subject at present.

Railway Facilities at Hastings.

MR. DU CROS (Hastings): To ask the President of the Board of Trade whether he is aware that in December, 1903, memorials were submitted to the Board from the Corporation of Hastings, and nearly 4,000 inhabitants of Hastings and St. Leonards, with reference to the disadvantage under which the borough was placed owing to the inadequate railway facilities provided by the South Eastern and Chatham Railway Companies Managing Committee, in respect of the inferiority in regard to permanent way, station accommodation, quick and punctual service of trains, and general traffic arrangements and the highness of fares; that it was not until the 24th August, 1906, that the Corporation received any definite reply from the Board; and that, in the result, matters practically remain *in statu quo*; whether it is usual for such delay to take place in dealing with similar memorials to the Board, and for the Board's representations to be practically ignored by railway authorities; and, if so, whether he will take steps with a view of obviating such delay in the Department in the future, and of strengthening the position of the Board in relation to the failure by railway authorities to provide adequate railway facilities.

(*Answered by Mr. Lloyd-George.*) I regret the long delay which has taken place in this matter. For this delay the Board of Trade are in no way responsible. I am informed that the Managing Committee of the South Eastern and Chatham Railway felt unable to deal with all the points raised in the memorials until they had carried out such alterations in the permanent way in the Bopeep Tunnel as would enable them safely to resume double-line working in that tunnel. This resumption took place on 1st June last and thus met one of the three points on which the memorialists laid stress. I am sorry if in other respects the memorialists are not satisfied, but I may remind the hon. Member that, as the memorialists were informed when their representations were originally made, the Board of Trade have no statutory power to require railway companies to improve railway facilities, and that the only body which has this power is the Railway and Canal Commission to which the memorialists, if they are still dissatisfied, have access.

Sub-Post Offices—Hours of Closing.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall): To ask the Postmaster-General whether he is aware that closing sub-post offices for the sale of stamps at 8 p.m. is a cause of inconvenience in many places; and whether he can see his way to allow stamps to be sold after 8 p.m. in those sub-post offices which are attached to shops remaining open after 8 p.m.

(*Answered by Mr. Sydney Buxton.*) I am not aware that the closing of sub-post offices for the sale of stamps at 8 p.m. is a cause of inconvenience in many places, and very few complaints have reached me. While I do not see my way to make it a rule that any sub-postmaster who keeps his private business open after 8 p.m. should sell stamps, I do not propose to place any obstacle in the way of a sub-postmaster who elects to do so. I should, perhaps, add that the Post Office endeavours to meet the convenience of the public by recommending the Inland Revenue to issue licences, wherever a case is shown for the sale of postage stamps, to tradesmen who frequently keep their shops open late at night.

Volunteer Artillery—Conversion of Field Guns.

VISCOUNT CASTLEREAGH (Maidstone): To ask the Secretary of State for War what progress has been made with the conversion of the field gun which is to be placed in the hands of the Volunteers; how many guns have been completed; and under what head of the Estimates does the cost of the conversion appear.

(*Answered by Mr. Secretary Haldane.*) The trials are not yet completed. Alterations of the trial gun were found to be necessary and are now in hand. Moreover, a good deal of organisation is essential before the guns could be used.

Repatriation of Chinese Coolies.

MR. MOND (Chester): To ask the Under-Secretary of State for the Colonies of what crimes the 419 Chinese coolies who were deported in October had been convicted; and what number have been repatriated for immorality since 1st August, 1906.

(*Answered by Mr. Runciman.*) My hon. friend is not able to state the precise crimes of which these 419 coolies were convicted, but he will inquire. The number of cases repatriated since August last of those suspected of immorality is 107.

The Press and Mr. Bucknill's Report.

MR. RAWLINSON (Cambridge University): To ask the Prime Minister whether any, and what inquiries have been made, and with what results, as to the source from which certain newspapers obtained extracts from a confidential document dealing with crime among Chinese coolies in South Africa; and whether, if no such inquiries have been made, he will institute them forthwith.

(*Answered by Sir H. Campbell-Bannerman.*) No, Sir; the Answer to both paragraphs of the hon. Member's Question is in the negative.

Education (England and Wales) Bill—Equivalent Grant to Scotland.

SIR HENRY CRAIK (Glasgow and Aberdeen Universities): To ask the

Secretary for Scotland, whether the representation which he has made to the Treasury in regard to an equivalent grant for Scotland specified any definite amount as due to Scotland, in view of the grant of £1,000,000 assigned to England and Wales in the Education Bill, or proposed any principle upon which such an amount should be calculated in the event of the amount required for England and Wales exceeding £1,000,000.

(*Answered by Mr. Sinclair.*) Negotiations with the Treasury are still proceeding, and I am not prepared meanwhile to make any statement on the subject. Announcement of any result arrived at will be made in due course.

The Crown and the Page Estates.

MR. J. WARD (Stoke-on-Trent): To ask Mr. Attorney-General whether his attention has been called to the facts connected with an escheat in the case of what is known as the Page Estates, and what action he proposes to take to protect and assist the privileges of the Crown in relation thereto.

(*Answered by Sir John Walton.*) The circumstances of this case, in which it is alleged that there has been an escheat of certain real estate to the Crown, were, in or about the year 1870, and have been repeatedly since that date, brought to the notice of the Treasury, with the result that that Department, acting under legal advice, has declined again and again, and still declines, to take any action.

Delay in delivery of Letters addressed in Irish.

MR. COGAN (Wicklow, E.): To ask the Postmaster-General why it takes forty-eight hours to deliver a letter addressed in the Irish language and posted in one side of the city, about half a mile from the General Post Office, Dublin, to another portion of the city, within about a mile of the General Post Office; whether it takes this time for the officials to translate the address, or is it due to the want of knowledge by the sorting staff of their native language; and will he take the necessary steps to ensure prompt delivery of letters in future.

(*Answered by Mr. Sydney Buxton.*) Correspondence addressed in Irish is necessarily subject to delay, when, as is often the case, it is dealt with by officers who cannot decipher the address. While I regret any inconvenience so caused, I would observe that in almost every case of the kind the remedy is in the hands of the sender of the letter who voluntarily chooses such a mode of address. If, however, the hon. Member will give me particulars of the letter to which he refers I will have inquiry made as to its treatment in the post.

Postal Rates to Canada of British Periodicals and Newspapers.

MR. EVELYN CECIL (Aston Manor): To ask the Postmaster-General whether his attention has been called to a speech by Mr. Lemieux, the Canadian Postmaster-General, at Ottawa, on the 20th November, announcing that it would be his privilege before long to give British periodicals and newspapers from this country to Canada preference over similar United States publications by granting them a cheaper rate of postage; and whether he can make any statement on the subject.

(*Answered by Mr. Sydney Buxton.*) I read with satisfaction the short summary of the speech of Mr. Lemieux in reference to the question of the position of British periodicals, magazines, and newspapers in Canada. It is a question to which, as the hon. Gentleman is, I think, aware, I have given a good deal of attention. Some months ago I made certain proposals to the Dominion Government with the object of placing British periodicals, magazines, and newspapers on a more satisfactory basis in Canada than they now enjoy as compared with those coming from the United States. Under the present system, and under the existing rates of postage, they are practically driven out of the market by their American rivals, to the detriment of the imperial and commercial connection. The proposals which I made, but which I am not at present at liberty to state publicly, have been met in a very friendly spirit by the Dominion Government and by Mr. Lemieux, who, I know, is as anxious as I am myself to bring about a satisfactory solution. I am afraid I cannot add more at the present moment.

Cost of Repatriation of Chinese Coolies.

Major SEELY (Liverpool, Abercromby): To ask Mr. Chancellor of the Exchequer what was the maximum sum estimated to be required during the present year for the repatriation of Chinese coolies at their own request, and how much has been spent for this purpose up to the present time.

(*Answered by Mr. Runciman.*) No provision for this service was made on the Estimates for this year. A sum of £10,000 was paid over from Imperial funds on 27th September, and a further sum of £6,050 on 1st October. On Saturday application was made to the Treasury for a further payment of £5,000, making a total expenditure of £21,050. The probable future requirements for this service cannot at present be estimated.

Retiring Allowance to Mr. C. McGonagall, Managing Clerk, Roorkie Workshops.

Mr. MEEHAN (Queen's County, Leix): To ask the Secretary of State for India whether he is aware that Mr. Charles McGonagall, managing clerk, Roorkie workshops, was prematurely and irregularly retired from the public service; that Mr. McGonagall was, up to 1877, in permanent employment in the accounts branch of the Public Works Department, and was transferred, in the interests of the Government, as managing clerk in Roorkie workshop on the understanding that the appointment was permanent and pensionable like the one he was leaving; that in 1897 Mr. McGonagall was dismissed and the office abolished; that, after a considerable delay, he secured a pension of Rs. 129; and whether, seeing that, if his service had been allowed to continue and he had been retired in the ordinary way, his pension would be Rs. 250, and as, by his unexpected dismissal, he was deprived of the salary for the seven years necessary to complete his service and qualify him for full pension he lost Rs. 20,500, the Government will grant Mr. McGonagall full pension and refund to him the difference between what he has received, Rs. 129, and Rs. 250, which he would be entitled to but for his enforced retirement.

(*Answered by Mr. Secretary Morley.*) In 1898 the Secretary of State for India in Council, on the recommendation of the Government of India, sanctioned the grant to Mr. McGonagall, from the date of his retirement, of the pension of Rs. 250 a month which the hon. Member now asks the Government to grant to him.

Indian Magistrates and Political Demonstrations.

Sir H. COTTON (Nottingham, E.): To ask the Secretary of State for India whether he is aware that at Madaripore and at Serajgunge, in the newly-created province of Eastern Bengal, the deputy magistrates in charge of these subdivisions have been taking an active part in demonstrations in favour of maintaining the present scheme of partition; whether he is aware that popular irritation has been caused thereby; and seeing that it is against Government rules for a Government officer to take sides in a political controversy, and that the rule has been rigidly enforced in the case of anti-partition demonstrations, will he take steps to prevent a recurrence of such incidents.

(*Answered by Mr. Secretary Morley.*) I have no information as to the facts of the cases mentioned, but I have no doubt the local government will take whatever steps may be necessary to enforce, in all cases, the rule to which the Question refers.

Irish Land Purchase—Redemption of Existing Annuities.

Mr. POWER (Waterford, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Estates Commissioners state that they are bound by a statutory provision to redeem an existing annuity in respect of purchased land acquired by them before they can make a further advance for any purpose in connection with the same; whether this entails loss while land stock has to be issued at a considerable discount; what amount is required to redeem an annuity of £32 10s. created under the Land Act of 1903; and whether, to facilitate the purchase of land for evicted tenants and for other purposes where no untenanted lands are available, the law will be amended on this point.

(*Answered by Mr. Bryce.*) I am informed that it was decided by Mr. Justice Meredith that, having regard to the provisions of Section 9 (4) of the Purchase Act of 1891, an advance cannot be made under the Land Purchase Acts for the purchase of any holding which is already charged with an annuity in respect of an advance under the Acts. It is presumed that this is the provision to which the hon. Member refers. An advance raised by means of land stock cannot legally be made to redeem the existing annuity, and the loss referred to in the Question is not, therefore, incurred. A holding purchased under the former Purchase Acts may, however, be transferred subject to the existing annuity. An annuity of £32 10s. represents an advance under the Act of 1903 for £1,000. That annuity, if created in January, 1904, could now be redeemed for £985.

Irish Educational Development Grant.

MR. ALDEN (Middlesex, Tottenham): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the development grant for purposes of education in Ireland has been largely sequestrated to other purposes quite distinct from education, and that as a result school building and improvement schemes have been greatly hindered; and whether he proposes to place upon the Estimates a sum of money sufficient to bring the standard of education in Ireland up to the level of England and Scotland.

(*Answered by Mr. Bryce.*) If my hon. friend will refer to the Ireland Development Grant Act, 1903, he will see that any portion of the grant not required for purposes connected with land purchase is to be applied (*a*) for the purpose of education, (*b*) for the promotion of the economic development and transit facilities of Ireland. The Irish Land Act of the same session imposed charges to a considerable amount upon the grant, including the liability of making good the loss upon the flotation of land stock at a discount, which has made very heavy drains on the fund. It is the case that up to the present considerable sums have been devoted to the purposes other than education provided by the Act, but the Ireland Development Grant Estimate for the current year shows that some provision has also been made for educational purposes, including school building. The question of the Ireland Development Estimate for next year is now under consideration, as also the Estimate for national education.

Police and Public at Drumkeerin, County Leitrim.

MR. DOLAN (Leitrim, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will state by what authority the sergeant of police at Drumkeerin threatened to fire on a crowd of people who were proceeding along the public road accompanied by two bands, on or about the 12th of August, in the neighbourhood of Drumkeerin, county Leitrim.

(*Answered by Mr. Bryce.*) I am informed by the police authorities that no threat to fire upon the people was used by the police sergeant on the occasion referred to. The police had received instructions to prevent the intimidation of certain persons, and, in pursuance of these instructions, they prevented a crowd of 400 persons, accompanied by four bands, from approaching the house of one of these persons. Anything said by the sergeant on the occasion was, I am informed, in the nature of dissuasion, and it appears to have produced the desired effect, for no disturbance took place.

Demands for Payment of Rent from Tenants on the De Freyne Estate.

MR. JAMES O'KELLY (Roscommon, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the object of the Congested Districts Board in purchasing the

De Freyne Estate was to secure an improvement in the position of the tenantry; and, if so, will he say why the tenants have been forced to pay two years rent within eleven months while the payment of a third years rent has been demanded within the following six months, making three years rent in eighteen months; whether he is aware that in enforcing the payment of some of these amounts the Board has laid a further burden upon the people of 20 per cent. for law costs; and whether, seeing that even under Lord De Freyne the tenants were never asked to pay two years rent in one year, he will ask the Board to adopt some other method in dealing with these victims of the Irish land system; and whether he will further ask the Board to furnish the tenants with the terms of sale without any more loss of time.

(*Answered by Mr. Bryce.*) I beg to refer the hon. Member to the Answer which I gave to his previous Question on the 19th instant,† in which the facts as to the payment of rent on the De Freyne estate are fully stated. It is true that the Congested Districts Board were obliged to demand from certain of the tenants three years rent within eighteen months, but this was due to the fact that these tenants had failed to pay at the proper time. No tenant has been asked to pay more than one year's rent for each year since November, 1903, and in those three years none have paid more than a total of three years rent. Out of a total of 1,752 tenants, decrees for rent have been obtained by the Board in sixty-six cases. In a few of these sixty-six cases the costs would amount to 20 per cent. on the debt, but in many cases they would amount to only 2½ per cent. As I have already indicated, the Congested Districts Board propose to sell the estate to the tenants before another year's rent falls due in November next.

Irish Architects and Irish Labourers Cottages.

Mr. DOLAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Irish Local Government Board has advertised in English newspapers inviting designs from English architects for labourers cottages to be built in Ireland, which plans are intended to be stereotyped for use throughout Ireland; and whether, seeing that there are many architects in Ireland who are fully qualified and who have already built many labourers cottages under former Acts, he will take steps to secure that no outsiders will be imported to do work of this kind whilst there are qualified men to be had in Ireland.

(*Answered by Mr. Bryce.*) The advertisement to which the hon. Member refers invited from architects the submission of designs suitable for labourers cottages to be erected under the Labourers Acts. The advertisement did not specifically invite designs from English architects. It was inserted in thirteen Irish and three English newspapers, the latter being identified solely with the building trade and circulating in Ireland.

Refusal of Gun Licence to Mr. Thomas Keighrey, of Loughrea.

Mr. DUFFY (Galway, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Mr. Thomas Keighrey, of Closetoken, Loughrea, is a tenant purchaser of £40 worth of land yearly, a district councillor, a miller, and a large employer of labour; whether he is aware that Mr. Keighrey's farm is haunted by flocks of crows, magpies, and other vermin; and whether his application to carry a gun on his own holding for the protection of his crops was granted; and, if not, will he explain the reason.

(*Answered by Mr. Bryce.*) I beg to refer the hon. Member to the Answer which I gave to the similar Question put by the hon. Member for East Galway on Thursday last,‡ in which I stated that the Irish Government did not think that the matter was one which required the interference of the Irish Government.

Purchase of Mr. Churcher's Estate, County Galway.

Mr. JOHN ROCHE (Galway, E.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether agreements have been signed to purchase Mr. Churcher's estate, county Galway; whether a grass farm of about 200 acres upon this estate is held by a non-resident tenant named Henry; and, if so, in view of the fact that nine of the tenants adjoining live upon holdings with an average rental of £2, will the Commissioners refuse to sanction the sale unless grass land is distributed amongst tenants of uneconomic holdings upon the estate.

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† See Col. 410.

‡ See Col. 978.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that no proceedings for the sale of the estate mentioned have been instituted before them, and they have no information in regard to the estate.

Holding for Mr. James Broderick, of Loughrea.

MR. DUFFY: To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state when the performance of the promise made to Mr. James Broderick, Donirg, Loughrea, is to be fulfilled, namely, that he would be provided with a holding in lieu of the one out of which he was evicted some years ago; whether the untenanted farm of Mr. White, situated in the neighbourhood, was partly bought for the purpose; and, if so, will he explain the cause of the delay.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that the holding from which James Broderick claims to have been evicted is situate upon the estate of Mr. H. P. Blake, for the sale of which to the tenants proceedings have been instituted before the Commissioners. The Commissioners are in negotiation with the owner for the purchase of the untenanted land on the estate, and until they have acquired this land they will not be in a position to make arrangements for its allotment.

Teaching of Irish in National Schools.

MR. J. P. NANNETTI (Dublin, College Green): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if a new scheme for the teaching of Irish in the national schools has been prepared for the National Board; if so, what is the nature of the new scheme; has it yet been considered by the National Board; and, if so, what decision have the Board come to with regard to it.

(*Answered by Mr. Bryce.*) I am not aware that any new scheme for the teaching of Irish has yet been prepared by the National Board. None such has reached me. Whatever proposals the Board may make will doubtless come before me in connection with the Estimates for the coming financial year.

Population of Ireland.

MR. FELL (Great Yarmouth): To ask the Chief Secretary to the Lord-Lieutenant of Ireland what was the population of Ireland at the date of the passing of the Landlord and Tenant (Ireland) Act, 1870, at the date of the passing of the Land Law (Ireland) Act, 1881, at the last Census, and the estimate of the population at the present time.

(*Answered by Mr. Bryce.*) According to the Census of 1871, the population of Ireland was 5,412,377. At the Census of 1881 it was 5,174,836. At the last Census, namely, 1901, it was 4,458,775; and the Registrar-General's estimate of the population in the middle of the present year is 4,387,887.

Irish Local Taxation Account.

MR. COGAN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he will use his good offices with the Treasury so as to secure that moneys now paid into the general Exchequer, which properly belong to the Irish Local Taxation Account, shall be placed to the credit of this fund; and if he will endeavour to have the Law amended so as to attain that object.

(*Answered by Mr. Bryce.*) I am not aware that there are any moneys to which the statement in the Question applies, but if the hon. Member will inform me what are the specific moneys to which he refers I will have the matter inquired into.

Sale of the Hort Estate, Kilcock, County Kildare.

MR. JOHN O'CONNOR (Kildare, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any negotiations are going on between the Estates Commissioners and the tenants of Hortlands, on the Hort estate, Kilcock, county Kildare; whether the tenants are twenty-three in number and have offered a price for their farms, that is to say, twenty-one years purchase of the rental, provided that certain untenanted land on the estate was divided amongst them at the price of twenty-four years purchase of the rental; has an inspector been sent by the Commissioners to inspect and report upon the property; was he during his visit driven over the estate in his own trap by the eleven months holder of the said untenanted land; has the said eleven months holder offered a large price for the untenanted land; will the tenants continue their offer of purchase if the untenanted land is withdrawn from the subject matter of the bargain; have the tenants represented that the report of the inspector is inaccurate in many important respects; and will another inspection be ordered and the tenants asked to state their opinions on disputed points.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they have issued a request, under Section 7 of the Act of 1903, in respect of the estate of Sir Fenton Josiah Hort, including the townland of Hortlands, which is for sale in the Land Judge's Court. There are thirty-six tenants on the estate, of whom twenty-nine are on Hortlands. The tenants have made an offer to purchase on the terms stated in the Question. The property has been inspected and reported on, and the report will shortly be considered by the Commissioners. The Commissioners have no information as to who drove the inspector over the estate. There are three grazing tenants on the estate, and these have made offers to purchase, but the offers have not yet been considered. The Commissioners have not yet estimated the price of the estate. The report of their inspector is a confidential document, not accessible to the tenants, and no representations as to its contents have been or could be made by the tenants. Until the report has been considered and a price estimated, it cannot be ascertained whether the tenants will be willing to purchase on the terms offered, or how the untenanted land will be dealt with.

Sale of the Marquess of Ely's Estate, County Fermanagh.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any progress has been made in the negotiations for the sale of the estate of the Marquess of Ely in the county of Fermanagh; have the Estates Commissioners made any offer for the estate; or has any originating statement for a direct sale been lodged.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they have no knowledge of any negotiations for the sale of this estate which may be proceeding. The answer to the remaining inquiries is in the negative.

Expenditure on Barracks.

MR. YOUNGER (Ayr Burghs): To ask the Secretary of State for War if he will state the sums spent on barracks in each of the ten years ending in April, 1906, in England, Scotland, and Ireland, giving the amounts separately in each case.

(*Answered by Mr. Secretary Haldane.*) The figures asked for are shown in the annexed statement:—

Sums spent on Barracks* in each of the ten years ending in April, 1906, in England, Scotland, and Ireland.

Year.	England.†	Scotland.	Ireland.	Total.
	£	£	£	£
1896–7 - - -	498,630	14,774	156,538	669,942
1897–8 - - -	431,141	18,868	178,168	628,177
1898–9 - - -	484,223	29,645	176,676	690,544
1899–1900 - -	577,194	24,091	222,842	824,127
1900–1 - - -	1,449,343	34,360	209,437	1,693,140
1901–2 - - -	964,938	24,379	264,176	1,253,493
1902–3 - - -	926,777	24,629	230,689	1,182,095
1903–4 - - -	1,398,436	23,161	231,505	1,653,101
1904–5 - - -	1,554,673	26,959	196,736	1,778,368
1905–6‡ - - -	875,309	21,258	124,136	1,020,703
Total - -	9,160,663	242,124	1,990,903	11,393,690

* The figures given include hospitals, hut barracks, and cost of maintenance; also, to some extent, purchases of land for training grounds or rifle ranges, with works thereon. They exclude rents, furniture, fuel and light, cost of staff, &c.

† Including Wales and Channel Isles, also a number of general items affecting all home stations.

‡ The 1905-6 figures are subject to final adjustments.

Officers' Payments for Upkeep of Furniture at Wellington and Chelsea Barracks.

MR. GUY BARING (Winchester): To ask the Secretary of State for War whether every officer in the four battalions quartered at Wellington and Chelsea Barracks is charged 2d. per diem for use of Government furniture, although the mess at each barrack does not afford half the normal accommodation for a single battalion; and whether he can see his way to readjust these charges.

(*Answered by Mr. Secretary Haldane.*) These officers pay, not 2d. a day, but 1d. a day for the use of furniture. An application for the reduction of the charge to ½d. a day has been negatived on account of the increased charges for up-keep occasioned by the extra wear and tear to which the furniture is subjected.

Pay of Colour-Sergeants sent back from Militia to Line.

MR. FETHERSTONHAUGH: To ask the Secretary of State for War whether he is aware that a line colour-sergeant posted to service on a Militia staff, and found unsuitable for the duty thereon, actually gains an increase of the pay he would be drawing on the Militia staff by being sent back to his own battalion; and will he say if a line colour-sergeant by being posted to a Militia battalion, in addition to getting one shilling a day less pay, loses chances of promotion in his own battalion, although the duties of a colour-sergeant posted to the Militia are more troublesome than his duties in a line battalion in dealing with less disciplined soldiers and in connection with recruiting.

(*Answered by Mr. Secretary Haldane.*) A colour-sergeant of the permanent staff, if found to be inefficient, is usually reverted to the line battalion as a sergeant. If reverted as a colour-sergeant, he would get an increase of pay of 6d. a day. He is eligible for promotion in his own battalion, and also in his Militia battalion. As I informed the hon. Member on the 21st instant,† the duties of a Militia colour-sergeant are not considered as onerous and responsible as those of a line colour-sergeant.

Bechuanaland Expedition 1884-5—Suggested Issue of a Medal.

Dr. RUTHERFORD (Middlesex, Brentford): To ask the Secretary of State for War whether it is proposed to issue a medal for the Bechuanaland Expedition of 1884–5.

(*Answered by Mr. Secretary Haldane.*) The right hon. Gentleman the Member for Dover explained to the House on 9th July, 1900‡, that there were really no active operations in this expedition that would justify the grant of a medal. I will, however, give the matter my personal consideration, though I cannot say at present whether I am likely to find grounds for differing from the conclusion already come to.

The Colonies and the Merchant Shipping Bill.

Mr. HARMOOD - BANNER (Liverpool, Everton): To ask the Under-Secretary of State for the Colonies if he will consider the advisability of submitting the provisions for the safety of human life, contained in the Merchant Shipping (No. 2) Bill, to the Colonial Conference to be held next year, with a view of applying its provisions for the safety of human life to all ships, both British, Foreign, and Colonial, sailing from ports in the Colonies.

(*Answered by Mr. Churchill.*) As soon as the Merchant Shipping Bill is passed, the Secretary of State will communicate with the Governments of responsible governing colonies on the question of applying some of its provisions in those Colonies.

Imports of British Cigarettes into Manchuria.

Mr. T. L. CORBETT (Down, N.): To ask the Secretary of State for Foreign Affairs whether he is aware that discrimination is being made against British-made cigarettes at Antung, in Manchuria, upon which a Customs duty of 3½ per cent. is levied in addition to a tribute of 1¾ per cent., whilst no duty or tribute is levied upon the cigarettes manufactured by the Japanese Government Tobacco Monopoly, which are being freely sold by the monopoly agents; and whether he will take immediate steps with a view to placing the goods of both nationals on the same footing.

(*Answered by Secretary Sir Edward Grey.*) We have received no official information that such discrimination is going on. I shall be obliged if the hon. Gentleman will supply me with all the information at his disposal, so that inquiry can be made into the matter.

Mr. T. L. CORBETT: To ask the Secretary of State for Foreign Affairs whether he is aware that the Customs and Likin duties are imposed upon British-made cigarettes in Manchuria, whilst no Customs or Likin duties are imposed upon the cigarettes manufactured by the Japanese Government Tobacco Monopoly; and whether he will take steps with a view to establishing the same duties upon the goods of both nationals.

(*Answered by Secretary Sir Edward Grey.*) We are not aware that discrimination as regards Customs duty or Likin is being made between British and Japanese cigarettes; but, as the evacuation of Manchuria is not yet complete, Likin would presumably not be paid upon tobacco imported for the use of the Japanese soldiers.

Rebuilding of Westminster County Court.

Mr. W. F. D. SMITH (Strand, Westminster): To ask the Secretary to the Treasury whether alterations are being made in the plans of the Westminister county court in accordance with the suggestions made by the judge and registrar of the court; and, if not, on whose responsibility have these suggestions been ignored.

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† See Col. 812–3.

‡ See (4) *Debates*, lxxxv., 953.

(*Answered by Mr. McKenna.*) Certain alterations were made on the representations of the court officials; but other suggestions were not adopted, as the First Commissioner of Works on the advice of his expert officers considered the extra expenditure involved to be excessive and unnecessary.

Cleaning of Rag Flock for Bedding.

MR. A. L. STANLEY (Cheshire, Eddisbury): To ask the President of the Local Government Board whether it is the intention of his Department, either by legislation or otherwise, to prohibit the use of rag flock in the making of bedding without first subjecting it to some cleansing and disinfecting process.

(*Answered by Mr. John Burns.*) The compulsory cleansing of rag flock could not be generally secured under the existing law. I am not at present in a position to promise legislation on the subject, but the point has been noted for consideration when a suitable opportunity offers.

Brentford District Council Hospital.

DR. RUTHERFORD: To ask the President of the Local Government Board whether his attention has been called to the fact that recently a child suffering from scarlet fever was put into a ward used for measles at the hospital belonging to the Brentford District Council, that the child took measles and died, that the sister of the same child, also affected with scarlet fever, was discharged from the hospital before peeling was complete, to the risk of the public, and that the nursing staff for thirty-six cases of infectious disease consisted of an aged woman and her daughter; and what steps he proposes to take in the matter.

(*Answered by Mr. John Burns.*) My attention has been called to this matter, and I have been in communication with the district council with regard to it. I understand that the father of the children made complaint to the council, and that they at once referred the subject of the reorganisation of the hospital to a committee, who discharged the nurse and her daughter and made a temporary appointment of a nurse as superintendent, and directed the medical officer to find two assistant nurses. They also advertised for properly certificated nurses to act as matron and assistant. Subsequently the nursing staff was fixed at one nursing matron and two certificated nurses. When the hospital was first erected it was contemplated that only scarlet fever cases would be treated there; but recently all forms of infectious disease seem to have been admitted, and it has become evident that the hospital must be enlarged. This, I understand, is now being done. I fear that the management of the hospital in the past has not been satisfactory, but, looking to the action taken by the district council since complaint was made to them, I have not thought it necessary to interfere further in the matter.

Deaths from Cancer—Geographical Distribution.

MR. STRAUS (Tower Hamlets, Mile End): To ask the President of the Local Government Board whether he can arrange that in future the Registrar General will, when he issues his Report upon deaths from cancer, show the geographical distribution of such deaths, clearly stating the districts of each town or centre where these deaths occur.

(*Answered by Mr. John Burns.*) The Registrar General's Reports already give statistics as to the deaths from cancer in respect of each registration district, but he informs me that he has no materials at his command which would enable him to supply statistics of this kind in respect of the areas referred to in the Question.

Education Bill and Schools for the Deaf.

MR. YOXALL (Nottingham, W.): To ask the President of the Board of Education whether any of the provisions of the Education Bill would, it it becomes law, alter or affect the position of schools and other institutions for the deaf, public or private, with regard to local authorities, as to payment or otherwise.

(*Answered by Mr. Birrell.*) So far as I am aware, the Answer is in the negative.

Value of Bees and Hives supplied to Parish of Dornoch.

MR. MORTON (Sutherland): To ask the Secretary for Scotland whether he will state the value of the bees and hives supplied to the parish of Dornoch since that parish has been made a congested area.

(*Answered by Mr. Sinclair.*) The Congested Districts Board have supplied to the parish of Dornoch fifty-two hives and swarms of bees. As the prices vary from year to year it is not easy to say, without getting the accounts from the Audit Office, what exactly the cost has been, but a fair average is £2 per outfit, which works out at slightly over £100.

Sittings of the Railway and Canal Commission.

MR. D. A. THOMAS (Merthyr Tydvil): To ask the President of the Board of Trade if he will say how many sittings were held by the Railway and Canal Commission in each year respectively from 1895 to the present time.

(*Answered by Mr. Asquith.*) The number of days upon which the Railway and Canal Commissioners have held sittings are as follows:—

	days
1895	41
1896	38
1897	47
1898	25
1899	44
1900	40
1901	41
1902	16
1903	31
1904	14
1905	21

Note.—This Return does not include the days the Commissioners sat out of court for purposes connected with the administrative duties of the Commission.

Promotion on the Unemployed Supernumerary List of the Indian Army.

SIR W. J. COLLINS (St. Pancras, W.): To ask the Secretary of State for India whether his attention has been called to the fact that under Section 56, c. 106, of 21 and 22 Vict., officers of the East India Company's military forces were guaranteed pay, pensions, allowances, and privileges, and the like advantages as regards promotion, and otherwise, as if they had continued in the service of the said company; whether officers of the unemployed supernumerary list continue to receive promotion as if they had continued in the company's service; and, if not, from what date such promotion ceased to take effect and on what grounds.

(*Answered by Mr. Secretary Morley.*) Promotion in and to the rank of general officer on the unemployed supernumerary list of the Indian Army was gradually discontinued after 1893, as being inconsistent with the system of promotion by selection which was then introduced. Before the transfer of India to the Crown, promotions to the rank of general officer had always been made by the Sovereign and not by the East India Company. The regulations under which such promotion was made followed generally those in force in the British service; and the section of the Act quoted in the Question did not affect the power of the Sovereign to modify these regulations in the interests of the service.

India and the Merchant Shipping Act.

MR. HARMOOD-BANNER: To ask the Secretary of State for India whether he has considered the provisions of the Merchant Shipping (No. 2) Bill with a view of applying its provisions for the safety of human life to all ships, both British, foreign, and colonial, sailing from ports in India.

(*Answered by Mr. Secretary Morley.*) I propose as soon as the Bill becomes law to consult the Government of India as to the Amendments which it may be desirable to make in the Indian law and regulations.

The Government of India and the Aden Hinterland.

MR. CHARLES WILSON (Hull, W.) To ask the Secretary of State for India why the Indian Government are giving up the Aden Hinterland and the Hills of

Dahla; and whether, seeing that these hills are a good sanatorium for British troops, being situated about 7,000 feet high on the edge of a rich country, they will reconsider their decision.

(*Answered by Mr. Secretary Morley.*) The permanent location of troops at Dahla, whether at a sanatorium or otherwise, has never been sanctioned either by the late or the present Government. It is, therefore, incorrect to speak of giving up the Aden Hinterland. The withdrawal of troops from Dahla, now that the delimitation proceedings are completed, is in accordance with the statement of policy made in the House of Lords on the 30th March, 1903,† as to the demarcation, viz., that His Majesty's Government had never desired to interfere with the internal and domestic affairs of the tribes on the British side of the boundary, but had throughout made it plain that they would not assent to the interference of any other Power with those affairs.

Irish Land Purchase—Average Rate of Purchase.

MR. LIDDELL (Down, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Land Commission receive and record notices of the sales by tenant purchasers of the holdings bought by them under the various Purchase of Land (Ireland) Acts; and what is the average rate of purchase which the Land Commission records show as being paid by new purchasers for holdings so acquired to the purchasing tenants.

(*Answered by Mr. Bryce.*) The ownership of all lands sold by means of an advance under the Land Purchase Acts is registered under The Local Registration of Title Act, 1891, and all subsequent transfers of such land, upon sale or otherwise, are also registered. The Land Commission inform me that it is only upon receipt of the amended land certificates issued by the Local Registration of Title Office that the changes of ownership on such transfers are recorded in the books of the Land Commission. As, however, these land certificates do not usually disclose the consideration money which may be paid by new purchasers, the collection books do not afford the information asked for in the concluding part of the Question.

Rent on Estate of Crookenden and Casey, County Cavan.

MR. LIDDELL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been called to the proceedings taken by the syndicate who purchased Lord Morley's Cavan estate against a tenant on the estate, named John Nixon, to recover rent at the rate of £46 a year, though so far back as 1882 Mr. Nixon's rent was reduced to £34 10s. by Lord Morley, and rent paid at that rate for over twenty years; and whether there is an application for sale of the estate before the Estates Commissioners; and, if so, will the Commissioners be informed that whatever rent Mr. Nixon may be technically held liable to pay in the present proceedings, the rent really paid and accepted for over twenty years was at the rate of £34 10s.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they have no knowledge of the proceedings referred to in the first part of the Question. The estate of Crookenden and Casey (late Lord Morley's) is at present before the Commissioners, who are considering the question of purchasing it under Section 6. An inspection of the estate has been directed, and the matter alleged in the Question will be inquired into by the inspector in due course.

Purchase of Colonel Malone's Baronstown Estate.

MR. GINNELL (Westmeath, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that Colonel Malone's Baronstown estate comprises twenty-one uneconomic holdings ranging from 15s. to £5 in valuation, nin holdings of higher valuation but uneconomic owing to poverty of soil, and three grass farms of over 150 acres each not within the Land Acts; that all the tenants, except the users of the grass farms, have petitioned the Estates Commissioners to acquire these farms for the relief of the congestion; that the law, as interpretated in the Blake-Foster case, empowers the Commissioners to do this as a condition of declaring the property an estate; that the inspector, who gives them contrary advice, inspected before the present instructions came into force, and has been a landlord's valuer and agent; and if, in view of these facts and of the needs of the people, he will ask the Commissioners to reconsider the proposed sale of this estate.

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† See (4) *Debates* cxx., 545-6.

(*Answered by Mr. Bryce.*) I have already, on several occasions, informed the hon. Member, on the authority of the Estates Commissioners, that the estate in question does not comprise any untenanted land; that the grass farms on the estate are held under leases or by yearly tenants; and that the Commissioners have no power to compel farms so held to be sold to them as untenanted land. In view of these facts, it does not appear that any useful purpose would be served by entering into the details referred to in the Question.

Ireland and the Licensing Question.

MR. FETHERSTONHAUGH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether his attention has been directed to the expression of opinion of the Prime Minister, when receiving a deputation of the United Kingdom Alliance, that Ireland has peculiar claims by reason of its comparative poverty to a reform of the drink traffic; whether, in view of this recognition by the Prime Minister of Ireland's peculiar need, the Irish Government will at any early date introduce legislation to meet that peculiar need; is he aware that, owing to the decision in Clitheroe's case, justices in Ireland have no power to refuse renewals of licences or transfers on the ground that the licences are not required; is he aware that Clitheroe's case has been doubted and disapproved by high legal authorities, but cannot be overruled by any Irish Court; and will he consider the advisability of reversing it by statute.

(*Answered by Mr. Bryce.*) I am not aware that the Prime Minister has given expression to the opinion attributed to him. The effect of the decision in Clitheroe's case is, I understand, correctly stated in the Question. I am not prepared to express any opinion as to the soundness of that decision, nor can I at present make any statement as to the possible introduction of legislation dealing with the law as laid down in that case, or of temperance legislation generally.

Grants to Tenants on Congested Estate at Collumbkille.

MR. J. P. FARRELL (Longford, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any relief can be extended to the tenants of congested estates in the parish of Collumbkille, county Longford, which have recently been sold under The Land Purchase Act, 1903, with a view to the proper drainage, reclamation, and extension of their farms.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they are unable to identify the congested estates referred to in the Question unless fuller particulars are given. If the names of the owners of the estates are furnished to them they will ascertain whether the estates have been sold under the Act of 1903, and will then be in a position to give information on the subject of the Question.

Sittings of the Irish Congested Districts Commission.

MR. J. P. FARRELL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether it is proposed to hold further sittings of the Congested Districts Commission in Ireland at convenient centres; whether he is aware that the rural districts of Granard No. 1 and Longford desire to have evidence given on their behalf in support of the case for scheduling the barony of Longford and parts of the barony of Granard as a congested district; and, if so, will he take care that the witnesses from these districts are called, and that sittings of the Commission will be held at Granard and Longford respectively.

(*Answered by Mr. Bryce.*) I am informed that it is the intention of the Royal Commission on Congestion in Ireland to hold sittings at one or more centres in each county in which there are scheduled congested districts, and sittings will also probably be held in other counties afterwards, but no definite decision upon this point will be come to at present. All representations made in writing to the Secretary of the Commission in regard to the needs of different districts will be considered by the Commissioners before any decision is arrived at.

Irish Evicted Tenants—Case of Thomas Walsh.

MR. FLAVIN (Kerry, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state if an inspector has made inquiries into the case of Thomas Walsh, an evicted tenant on the Ormaithwait property, North Kerry; and whether he can state how soon Walsh will be reinstated.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that their inspector has made inquiries into the case in question. The Commissioners have communicated to the owner the price which they are prepared to advance for the purchase of the holding by Walsh, but have not yet received a definite reply to their offer.

Sale of Estate of Lindsey Talbot Crosbie, of Arafert.

MR. FLAVIN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state when the agreement entered into by the tenants on the estate of Lindsey Talbot Crosbie, of Arafert, county Kerry, was filed; and whether he can state when the holdings will be vested in the tenants.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that the purchase agreements in respect of this estate were lodged with them in July, 1904. Twenty-eight of the holdings have since been vested in the purchasers, and the vesting of the remainder has been stayed pending the decision of the Judicial Commissioner on a question as to the legality of adding arrears of rent to the purchase money of holdings.

Irish Poor Law Commission—Publication of Evidence.

MR. HUGH LAW (Donegal, W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland when the evidence taken by the Viceregal Commission on the Irish Poor Laws will be presented.

(*Answered by Mr. Bryce.*) I am informed by the Commissioners that the Minutes of Evidence and the Appendix to their Report are in the printer's hands, and will be ready for presentation in the course of the present week.

Irish Railways and the Irish Railway Commission.

MR. DELANY (Queen's County, Ossory): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Irish Railway Commission have acceded to the request made to them on behalf of the associated railway companies to be represented by counsel before the Commission; and, in view of this fact, will he see that the Department takes steps to have counsel appear before the Commission in the interests of the farmers, traders, and manufacturers of Ireland.

(*Answered by Mr. Bryce.*) I understand that the Viceregal Commission on Irish Railways has acceded, with certain restrictions, to an application made on behalf of the railway companies to be represented by counsel, and to a similar application from the general council of the county councils. The Department of Agriculture are authorised by Section 17 of the Act establishing the department to appear on behalf of aggrieved persons before the Railway and Canal Commissioners, but have no similar authority as regards appearance before other bodies. The answer to the latter part of the Question is therefore in the negative. In my opinion, complaints of the farmers, traders, and manufacturers of Ireland, and the whole case to be made on their behalf, can be adequately brought before the Commission without the employment of counsel.

Irish Constabulary Force Fund.

MR. FETHERSTONHAUGH: To ask the Chief Secretary to the Lord-Lieutenant of Ireland when the Irish Constabulary Force Fund will be wound up and the assets, outside any Government contribution, distributed amongst those whose subscriptions produced them; and has he considered the statement prepared by the constabulary pensioners of Fermanagh, and adopted at their meeting on 30th October, 1906, and the reasons therein set out for the prompt winding-up of this fund.

(*Answered by Mr. Bryce.*) I beg to refer to my replies to the Questions of the hon. Member for South Sligo on the 19th instant and to the hon. Member for East Wicklow on the 22nd instant,† in which the present position in respect of the winding-up of the Constabulary Force Fund is fully stated. If the hon. Member will refer to Parliamentary Paper No. 118 of 1891 he will see that the subscribers have no interest in or claim upon the capital of the fund, seeing that when existing liabilities have been discharged any balance that may remain will be surrendered to the Exchequer. It was upon that condition that a grant from the Exchequer of £150,000 was made in 1891. There are still over 7,000 subscribers to the fund, and until these have disappeared it does not appear to be possible to say what the assets of the fund will eventually be. I have received the statement prepared by the constabulary pensioners of Fermanagh.

QUESTIONS IN THE HOUSE.

Manning of the Navy.

MR. BOWLES (Lambeth, Norwood): I beg to ask the Secretary to the Admiralty whether he can state the proportion of petty officers to men borne on the books of the Portsmouth naval barracks, H.M.S. "Excellent," and H.M.S. "Vernon," respectively?

*THE SECRETARY TO THE ADMIRALTY (Mr. EDMUND ROBERTSON, Dundee): The proportion of naval petty officers to men at present borne on the books of the Royal Naval Barracks is 1 to 2·56, H.M.S. "Excellent" 1 to 1·36, and H.M.S. "Vernon" 1 to 1·82.

Chocolate at Deptford.

MR. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Secretary to the Admiralty what is the amount of chocolate manufactured at Deptford during the past five years; what is the amount purchased from private contractors during the same period; and whether he will consider the advisability of the appointment of a practical man to this department?

*MR. EDMUND ROBERTSON: The amount of chocolate manufactured at Deptford during the past five years is 5,236,125 lbs. The amount purchased from private contractors during the same period is 1,167,200 lbs. Practical men are employed on this work, as is shown by the quality of the chocolate made and the cheap cost of its production.

MR. T. F. RICHARDS: Can a resident engineer be accepted as a practical confectioner?

MR. KEIR-HARDIE (Merthyr Tydvil): Is the proportion of chocolate obtained as between the private manufacturer and the Government factory maintained?

*MR. EDMUND ROBERTSON: I imagine so.

MR. J. WARD (Stoke-on-Trent): If the chocolate made at Deptford is so good why not obliterate the private manufacturer altogether?

*MR. EDMUND ROBERTSON: We consider it advisable to keep on the private contractors so as to have some one familiar with the wants of the Admiralty to fall back on in times of emergency.

MR. GIBBS (Bristol, W.): Is any of the chocolate manufactured in Bristol?

*MR. EDMUND ROBERTSON asked for notice of the Question.

Naval Reserved Pay.

MR. H. H. MARKS (Kent, Thanet): I beg to ask the Secretary to the Admiralty whether the 2d. per day extra pay allowed to men who, having joined the Navy for twelve years, rejoined for a further period of ten years, is withheld from those of them who are drafted into coastguard stations; what saving is made by depriving coastguards of this extra 2d. per day; and whether he will consider the claims of the coastguardsmen to receive it.

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† See Column 370, 987.

*MR. EDMUND ROBERTSON: Re-engaged pay of 2d. a day is not granted to men of the coastguard, but is confined to continuous service men of the seamen class in the Navy. This additional pay was granted as an inducement to men of the seamen class to re-engage in order to secure a sufficient number of men well qualified as petty officers for service in sea-going ships. It is not considered necessary to extend this additional pay to the coastguard, whose duties are not so arduous as those performed by seamen serving afloat, especially by petty officers. The cost of granting the extra 2d. a day to the coastguard service cannot be accurately stated, but on a very rough estimate it may be assumed to be about £7,500 a year. The Admiralty do not propose to make any alterations in the existing regulations.

Docking War Vessels.

MR. BELLAIRS (Lynn Regis): I beg to ask the Secretary to the Admiralty at what intervals are the ships of the Royal Navy docked to prevent serious loss of speed through the growth of weeds; whether he can state when the rule came into force; and what was the former practice.

*MR. EDMUND ROBERTSON: I must refer my hon. friend to the King's Regulations and Admiralty Instructions, where he will find the regulations in regard to docking in Articles 1068 and 1099. They are generally similar to those which have been in operation for many years.

Navy List.

MR. BELLAIRS: I beg to ask the Secretary to the Admiralty whether he has completed his investigations into the discrepancy by which fifteen cruisers, omitted from the list of ships of the Navy on page 270d of the Navy List for many months past, are yet included in the Return of Fleets (Great Britain and Foreign Countries); and whether all these ships were set aside two years ago as not worth the cost of repairs and maintenance.

MR. EDMUND ROBERTSON: The armament of the fifteen cruisers to which my hon. friend refers has not been surrendered, and the vessels would be available for service if required. As vessels of equal or less value appear in the lists of foreign navies, it was considered that for purposes of comparison these cruisers might properly be included in the Return referred to. As, however, these ships are not in commission and no appointments are being made to them, it is convenient to show them under a separate heading in the Navy List. With regard to the last part of the Question, I can only refer my hon. friend to the statement made in this House by the then Secretary to the Admiralty on the 6th March, 1905.†

MR BELLAIRS: Is the right hon. Gentleman aware that while cruisers are omitted battleships are included in the List?

[No Answer was returned.]

Dockyard Wages.

MR. JENKINS (Chatham): I beg to ask the Secretary to the Admiralty whether he can now state the amount allocated to the various grades and trades in His Majesty's dockyards arising out of the promised advance of £60,000 per annum; and whether such advance will take effect as and from 1st October last.

MR. EDMUND ROBERTSON: The new schedule of wages will be sent to the Dockyards without delay, and copies will be handed to hon. Members interested.

MR. JENKINS: Can we place as much reliance upon this reply as was to be placed on that given on 29th October last,‡ when we were told that we should receive such information within ten days of that date?

MR. EDMUND ROBERTSON: I am sorry for the delay, but the hon. Member may take it from me that the schedule of wages will be sent.

MR. JENKINS: Will the advance take effect as from October 1st?

MR. EDMUND ROBERTSON: Yes.

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† See (4) *Debates*, cxlii., 437 *et seq.*

‡ See (4) *Debates*, clxiii., 684.

Mr. J. WARD: Does this schedule refer to the skilled trades, or are unskilled workmen also included in it?

Mr. EDMUND ROBERTSON: Certainly.

Captain DONELAN (Cork, E.): Will this apply to the Irish dockyard?

Mr. EDMUND ROBERTSON: I think Haulbowline is included, but I am not positive at this moment.

The Hong Kong Typhoon.

Mr. CHARLES CRAIG (Antrim, S.): I beg to ask the Secretary to the Admiralty what was the nature and extent of the injury caused to Government property at Hong Kong by the typhoon; and what sums are to be expended in rebuilding and repairs.

Mr. EDMUND ROBERTSON: Damage was done to the Kowloon Coaling Jetty, the extension works, the torpedo range, buildings generally, and the matsheds on the Kowloon Coaling Ground, which were entirely destroyed. The total cost of making good the damage is estimated at £11,445, of which approximately £6,115 will fall upon Navy funds and the balance upon contractors, who are responsible for works still uncompleted.

His Majesty's Ship "Phœnix."

Mr. CHARLES CRAIG: I beg to ask the Secretary to the Admiralty whether he can hold out any hope of salving H.M.S. "Phœnix."

Mr. EDMUND ROBERTSON: I regret to state that there is no hope of salving the "Phœnix," which will be sold by public auction.

Piershill Barracks, Edinburgh.

Major ANSTRUTHER-GRAY (St. Andrews Burghs): I beg to ask the Secretary of State for War whether he can furnish any information as to how long it will take to put Piershill Barracks in a satisfactory condition; and how soon the work will be begun.

The SECRETARY of STATE for WAR (Mr. Haldane, Haddington): I presume the hon. and gallant Member means the remodelling of the barracks as well as its sanitary condition. I can only refer him to the replies I made to the questions put by the hon. Members for North-West Lanark and East Edinburgh on the 21st instant.†

Mr. McCRAE (Edinburgh, E.): Is it not the fact that ground is available on the east side of the barracks for any extension that may be necessary?

Mr. HALDANE: I will inquire about that, but the character of the whole neighbourhood has changed. It is a question of health.

Mr. McCRAE: That is being attended to.

Major ANSTRUTHER GRAY: Is the site to be abandoned?

Mr. HALDANE: It is impossible to make the Piershill site suitable for cavalry barracks, but we may perhaps put those barracks in another place.

Lord BALCARRES (Lancashire, Chorley): Can the site be made suitable for artillery barracks?

Mr. HALDANE: Certainly.

Ipswich Barracks Building Contract.

Mr. J. WARD (Stoke-on-Trent): I beg to ask the Secretary of State for War whether he has any information as to the date the labourers' wages arbitration award for the Ipswich district ceased to be in force; whether the labourers' trade union, which were parties to the award, were consulted as to its abrogation; whether the wage of 5d. per hour is still the recognised current trade union rate, and paid by all the best firms in the town; and what action, if any, he proposes to take to compel contractors for his Department to comply with trade union rates of wages for all workmen.

The following Questions were also on the Paper:—

Mr. ASHLEY (Lancashire, Blackpool): To ask the Secretary of State for War whether he proposes to maintain the trade union rate of wages in all War Office contracts, in view of the fact that the contractors for alterations at the Royal Artillery Barracks, Ipswich, are paying labourers 3½d. and 4d. per hour, the trade union rate being ½d.

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† See col. 817–8.

MR. ASHLEY: To ask the Secretary of State for War whether the fair wages clause was inserted in the contract for alterations at the Royal Artillery Barracks, Ipswich.

MR. J. WARD: To ask the Secretary of State for War whether he is aware that the contractors for the alterations at the Royal Artillery Barracks, Ipswich, are paying the trade union rate of 5d. per hour to all labourers on their private work in the district, except that being executed under the War Department; that the local superintendent of works has expressed the opinion that War Office contractors ought not to be compelled to pay trade union rates of wages; and what action, if any, he proposes to take to enforce his pledges upon this subject.

MR. HALDANE: I will answer this and the three following Questions together. A special inquiry has been made into this case, and it has been ascertained that although labourers at Ipswich were formerly in receipt of a definite rate of 5d. an hour under an award in 1899 made for three years, this state of things no longer exists, and the award appears to be no longer operative. The building trade is depressed and the supply of labour exceeds the demand, and labourers are at present receiving varying rates of pay according to their efficiency. It is impossible for this office to settle anything but what is in point of fact the current rate; when the masters and men have established it the War Office will see that its contractors pay it. The Department has had the utmost difficulty in ascertaining the exact facts in this case, and we are not certain that we have got at them yet, notwithstanding that much trouble has been taken, but to the best of my belief it is not possible to say that the War Department contractors have infringed the Fair Wages Clause of their contracts.

MR. ASHLEY: Are we to understand that the War Office consider that 3½d. per hour is a fair wage?

MR. HALDANE: The award as a matter of fact has ceased to exist and there is no definite wage now ruling.

MR. J. WARD: Can the right hon Gentleman give us any information as to the methods employed in arriving at this information? Is it correct that inquiry was only made of those contractors who are well known to have always sweated their workmen and to have paid low wages even when the award was in force? Was any fair employer of labour in the town asked what was the proper rate, or was any trade society consulted in any shape or form?

*MR. HALDANE: What I did was to send down an official, who spent some time in the investigation. He found it extremely difficult to get the facts. The award was made in 1899 for three years, and after that, as trade was good, employers went on paying the same rates, although there ceased to be any definite standards, some men being paid 4½d. and some 5d. Our position is that we call on our contractors to pay a fair rate, and I cannot see that under the circumstances they are not doing so.

MR. J. WARD: Is it not the fact that the award could not be altered without six months notice being given on either side? Was any notice given that the award was going to be abrogated?

*MR. HALDANE was understood to reply that no such notice was given, but that after the three years elapsed as trade was good the parties went on working without any fresh arrangement, and when trade got bad the supply of labour exceeded the demand and the rates fell.

MR. J. WARD: I shall raise the Question again.

Field Guns for Volunteers.

VISCOUNT CASTLEREAGH (Maidstone): I beg to ask the Secretary of State for War what progress has been made with the conversion of the field gun which is to be placed in the hands of the Volunteers; how many guns have been completed; and under what head of the Estimates does the cost of conversion appear.

*MR. HALDANE: The trials are not yet completed. Alterations of the trial gun were found to be necessary and are now in hand. Moreover a good deal of organisation is essential before the guns could be used.

Gravesend Garrison.

SIR GILBERT PARKER (Gravesend): I beg to ask the Secretary of State for War if he will state the reasons for discontinuing Gravesend as a station for regular troops, dismantling the forts, withdrawing the Royal Engineers, and utilising it only as a depot for musketry exercise.

*MR. HALDANE: The hon. Member has been misinformed. Gravesend will not be discontinued as a station for regular troops. The barracks there have only been occupied by an infantry Battalion since the South African War. As there is not now the same pressure on barrack accommodation, the barracks have reverted to the use for which they were designed, viz., to house musketry detachments. The reduction of the Royal Engineers is due to the abolition of submarine mines.

SIR GILBERT PARKER: What will the barracks be used for?

*MR. HALDANE: They will be used by musketry detachments.

SIR GILBERT PARKER: Then am I to assume that regular troops will no longer be stationed there, as they have been since the war?

*MR. HALDANE: The musketry detachments will be regular troops, but they will not be there permanently.

The Militia.

*SIR J. DICKSON-POYNDER (Wiltshire, Chippenham): I beg to ask the Secretary of State for War if he will give the number of resignations of officers and the wastage from all sources of men of the Militia during the current year to date; also the number of officers and recruits that have joined the same force during this period.

*MR. HALDANE: During the period referred to (1st January to 31st October, 1906) 263 officers resigned and the wastage of men from all sources was 30,932. 303 officers were appointed and 24,045 recruits joined.

Repatriation of Chinese Coolies.

CAPTAIN CRAIG (Down, E.): I beg to ask the Under-Secretary of State for the Colonies how many Chinese coolies employed in the mines in South Africa requested to be repatriated on the ground of dissatisfaction with the conditions of their employment; how many complained of their condition of employment as being servile or tantamount to slavery; and in how many cases were applicants for repatriation under the above headings actually sent back to their homes at the expense of the Government.

THE SECRETARY TO THE LOCAL GOVERNMENT BOARD (Mr. RUNCIMAN, Dewsbury, for Mr. CHURCHILL): Irrespective of those who applied under the Repatriation Proclamation, about 1,000 coolies have paid for the cost of their own return passages, being dissatisfied with the conditions or for other reasons. The precise number of the applications under the Proclamation is not known, nor is it known how many have complained of their condition as being servile, but 552 applicants have been sent back and over 100 will have been approved for state-aided repatriation.

*SIR H. COTTON: I beg to ask the Under-Secretary of State for the Colonies what is the total number of Chinese coolies repatriated from South Africa up to the end of October, showing separately how many were repatriated at their own expense, and how many under the terms of the repatriation proclamation issued by the Government.

MR. RUNCIMAN: The total number of Chinese sent back to China is about 6,500, of whom about 1,000 purchased their discharges, and 552 have so far been repatriated by Government, and others have since applied.

*SIR H. COTTON: I beg to ask the Under-Secretary of State for the Colonies if 1,194 Chinese coolies were repatriated in October for reasons other than gross immorality and crime; and, if so, whether he can state on what grounds they were repatriated.

MR. RUNCIMAN: Of the 1,184 coolies repatriated in October for reasons other than immorality and crime, 437 purchased their discharge, 462 were permanently or partially disabled by sickness or otherwise, and 285 were repatriated under the Government scheme of State-aided repatriation.

AN HON. MEMBER: Why did they purchase their discharge?

MR. RUNCIMAN: I presume they were not satisfied with the conditions under which they were labouring.

Crime by Chinese Coolies.

MR. MACKARNESS (Berkshire, Newbury): I beg to ask the Under-Secretary of State for the Colonies whether both on the 14th and 22nd of this month farmhouses in the Transvaal were attacked by gangs of Chinese deserters from the mines, some of whom were armed with guns; whether the farmers were compelled to defend themselves by firing at and wounding the Chinese; and whether he can say how many coolies have deserted from the mines during July, August, September, and October respectively, and how many have been convicted of any offences during the same months.

MR. RUNCIMAN: I have seen newspaper telegrams as to the attacks upon the two farms referred to, but there is no official information of the occurrences. The numbers convicted of desertion, refusal to work and unlawful absence from work were in July, 664; in August, 786; September, 613; those convicted of the specific offence of desertion were in July, 55; in August, 34; September, 49. The figures for October have not yet been received. The total number of convictions for all offences were in July, 1,173; in August, 1,285; September, 1,261.

Straits Settlements Currency.

MR. EVELYN CECIL (Aston Manor): On behalf of the hon. Member for Hythe, I beg to ask the Under-Secretary of State for the Colonies whether the silver dollar, the unlimited legal tender currency of the Straits, has been recently debased by the Straits Government, so that it is now eight-tenths instead of nine-tenths fine silver; whether there is any precedent within the British Empire for such a tampering with the currency; and whether the Government will protect the holders of its dollar notes issued on the old system from payment and redemption in the degraded currency issued by them.

MR. RUNCIMAN: As I have previously stated, an Order in Council has been passed by His Majesty providing for the reduction in fineness of the Straits Settlements dollar from ·900 to ·800. This measure was taken to preserve the fixed rate of exchange with gold, in accordance with the general wishes of the local community. The Governor has since recommended, as a result of the representations of the Singapore Chamber of Commerce and the unanimous vote of the Legislative Council, that further steps should be taken to secure the fixed rate in the direction of reducing the weight of the dollar, and the matter is now under consideration. If the weight is reduced it will be possible to retain the fineness of ·900. As regards Government notes, they have all been issued either against dollars of a lower value than 2s. 4d or, since the rate was fixed, against gold or dollars worth 2s. 4d. They will be paid either in gold or with dollars worth 2s. 4d., i.e., with dollars worth in any case as much as those against which they were issued, and for the most part worth far more.

Colonial Governorships.

*MR. REES (Montgomery Boroughs): I beg to ask the Prime Minister whether Governors of Colonies and Dependencies are appointed for a fixed term of years, or whether no such term is stated, but that such officers vacate when their successors are, after a more or less customary interval, appointed.

MR. RUNCIMAN: The Colonial regulation is worded as follows:—"Governors are appointed under the Sign Manual and Signet. Every such person is appointed during his Majesty's pleasure, but his tenure of office is, as a rule, confined to a period of six years from the assumption of his duties."

MR. SWIFT MACNEILL (Donegal, S.): Although the limit is six years the general tenure is only five.

Canadian Tariffs.

MR. LONSDALE (Armagh, Mid.): I beg to ask the President of the Board of Trade whether he is in a position to state that in the new Canadian tariff the preference hitherto granted by the Dominion to British goods will be retained.

MR. RUNCIMAN: I have received no official intimation of the intentions of Canadian Ministers, but I understand that a revision of the Canadian tariff will shortly be submitted to the Dominion Parliament, and that it is proposed to retain the principle of preference to British goods.

Gambling in the Malay States.

MR. A. ALLEN (Christchurch): I beg to ask the Under-Secretary of State for the Colonies whether his attention has been drawn to a petition presented to Sir John Anderson, High Commissioner of the Federated Malay States, and signed by nearly all the leading Chinese merchants, tin miners, and shopkeepers there resident, urging that legislative enactments providing for gambling farms in those States have been the direct cause of the degradation of tens of thousands of their countrymen, and praying that some change may be made in the financial arrangements of the States in order that the Government may cease to derive revenue from gambling farms, more especially as the revenues of the Government have for years greatly exceeded the expenditure and are continuing to show very large surplus incomes.

MR. RUNCIMAN: I can only refer the hon. Member to the Answer given in this House on November 12th to a similar Question asked by the hon. Member for Orkney and Shetland.†

Ceylon Councils.

*MR. REES: I beg to ask the Under-Secretary of State for the Colonies whether the Colonial Office proposes to take any steps towards strengthening the Executive and Legislative Councils of the Governor of Ceylon.

MR. RUNCIMAN: No, Sir.

The Bahr-el-Ghazal.

MR. LONSDALE: I beg to ask the Secretary of State for Foreign Affairs whether the Congolese troops have evacuated the Soudanese Bahr-el-Ghazal, in accordance with the terms of the Anglo-Belgian Convention; and, if not, whether any arrangement has been made as to the date on which such evacuation shall take place; and what has been the reason of the delay.

MR. RUNCIMAN (for Sir EDWARD GREY): Now that the season is becoming suitable for such an operation, we trust that no further delay will occur.

The German Gipsies.

SIR HOWARD VINCENT (Sheffield, Central): I beg to ask the Secretary of State for the Home Department if his attention has been called to the collision which was narrowly averted last week between the constabulary forces of Leicestershire, Warwickshire, and Northamptonshire, in respectively endeavouring to defend their several counties from the invasion of the band of foreign gipsies recently admitted to this country; and if, having regard to the expense thus imposed upon the ratepayers, and the exposure of their property to depredation owing to the detachment of so many rural police for the circumvention of these alien immigrants, he will send down an officer of the Criminal Investigation Department, speaking Romany, to assist the gipsy chief with money and counsel to realise his alleged project of leading his forces to Hull and thence embarking them for home; or, failing this, to take steps against members of the band, in conjunction with the police, for one or other of the following offences: for having no visible means of subsistence (Aliens Act); for wandering abroad and lodging in any cart or wagon (Vagrant Act); for placing themselves in a public place to beg alms (5 Geo. 4, c. 83); for causing boys under fourteen or girls under sixteen to beg (57 and 58 Vic. c. 41); for pitching upon the highway (5 and 6 Will. 4, c. 50); for unlawfully taking and carrying property with intent permanently to deprive the rightful owners thereof (24 and 25 Vic. c. 96); or for overloading and working their horses in an unfit state (12 and 13 Vic. c. 92).

The following Question was also on the Paper:—

MR. FELL (Great Yarmouth): To ask the Secretary of State for the Home Department if he has arranged for the deportation of the large band of gipsies who have caused so much expense and trouble in the country; if so, who is going to pay the expenses of such deportation; and whether he has given or will give instructions under the Aliens Act to prohibit the landing of foreign gipsies in the future at any of our seaports.

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† See (4) *Debates*, clxiv., 1053.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): The accounts of the police incident referred to were, as I have already said, exaggerated. I have no power to deport the gipsies wholesale, nor have I any power under the Aliens Act to prohibit the landing of gipsies at the seaports; but I am endeavouring to see whether those now in the country cannot be induced to leave it. For the present I must ask to be allowed to limit my statement to this.

MR. SWIFT MACNEILL: Has the right hon. Gentleman noticed that hon. Members who are so anxious to get rid of these gipsies are equally anxious to keep the Chinese coolie in South Africa?

[No Answer was returned.]

*MR. REES: I beg to ask the Secretary of State for the Home Department whether he is aware that the German gipsies during their transit across Montgomeryshire put the district and county authorities to expense and inconvenience for police escorts, and in other respects; and whether he will take such steps as are possible to prevent further invasions of this description in future.

*MR. GLADSTONE: Yes, Sir. I am aware that Montgomeryshire was in August and September last visited by gipsies in the same way as other counties. As regards the last paragraph I can only refer to the Answers I have already given to similar Questions.

*MR. REES: Is my right hon. friend aware that these impoverished aliens to the inconvenience of the lawful inhabitants drank all the hock in Welshpool?

Alderney Abattoirs.

MR. CATHCART WASON (Orkney and Shetland): I beg to ask the Secretary of State for the Home Department if he can state on what grounds permission is refused to erect a station at Alderney for the slaughter of animals; and what sum would accrue to the Treasury and to the States of Alderney by the establishment of such a business.

*MR. GLADSTONE: I am informed that the project involves the importation into Alderney of large numbers of Argentine cattle. The importation of these cattle into Great Britain is at present, owing to the prevalence in the Argentine Republic of foot and mouth disease, prohibited by an order of the Board of Agriculture, so as to give British stockowners security against the introduction of the disease; and the States of Guernsey have also recently passed an Ordinance prohibiting the landing in Guernsey and its dependencies of cattle from certain countries, including the Argentine Republic. If this project were approved there would be great risk of infectious diseases being brought into Alderney, which would, with the constant traffic that now exists, spread to the other islands. The result would be to ruin the Channel Islands breed of cattle, one of the chief industries, and to destroy the use of the islands for stock-raising purposes. A petition has been presented against the proposal to establish the abattoirs from some of the principal farmers in Alderney, as being detrimental to the best farming interests of the island. I have not sufficient information of the extent of the proposed operations of the company to enable me to say even approximately what sum would accrue to the Treasury or to the States of Alderney by the establishment of such a business.

MR. CATHCART WASON: If the States of Alderney impose the same restrictions as obtain in this country, will there be any objection?

*MR. GLADSTONE: I am only the medium for conveying the information. I should therefore like to have notice.

London Police and Sunday Duty.

MR. REMNANT (Finsbury, Holborn): I beg to ask the Secretary of State for the Home Department whether he can now see his way to making such arrangements as will provide the members of the Metropolitan police force with one day's rest in seven.

*Mr. GLADSTONE: I am afraid I cannot at present add anything to my replies this session to former Questions on this subject, and to what I said in the debate on the Estimates on June 7th last. The hon. Member's proposal could not be carried out without exceeding the present limits to the police rate, and imposing an additional burden of some £150,000 a year on the Metropolitan ratepayers. I am, however, having a detailed statement drawn up of the arrangements which would have to be made, and an estimate prepared of the exact cost which would be involved by the adoption of this proposal, but it is not yet quite completed.

Mr. REMNANT: When are we likely to get that information?

*Mr. GLADSTONE: In a few weeks.

Case of Mr. Maughan.

Mr. BOWLES (Lambeth, Norwood): I beg to ask the Secretary of State for the Home Department what was the charge upon which Mr. Maughan was sentenced at the Gateshead police court on May 7th last to be deprived of his son, and to pay a weekly fine of 1s. 6d. for ten years; and whether any direct evidence whatever was given in support of that charge.

*Mr. GLADSTONE: Maughan, the father, was charged under the Youthful Offenders Act, 1901, with conducing to the commission by his son of the offence of begging by habitually neglecting to exercise due care of him. He was convicted on the same evidence on which the boy was committed to the school. He was fined 5s., with 6s. costs: the order to pay 1s. 6d. a week was not a fine. He had been once before fined for a similar offence and had been three times cautioned by the police. The direct evidence of the police constable who took Maughan in charge was to the effect that for five weeks he had seen the boy begging, and that at 9 p.m. on April 30th he saw him accost seven men in ten minutes. Several ladies had pointed out and complained of this boy to the constable. The boy was in a half-starved condition and filthily dirty. His home surroundings were indescribably objectionable. The reports I have received in answer to my inquiries absolutely confirm the action of the police and the Justices, and I am glad that this poor little creature will now have a chance of growing to be a decent citizen.

Mr. THORNE (West Ham, S.): What were the wages earned by this individual? Does the right hon. Gentleman know?

*Mr. GLADSTONE: I have ascertained the facts. I should hardly like to mention some of them to the House.

Mr. J. WARD: Was not this man a soldier with a splendid record in the Army? Had not other members of his family been brought up respectably?

*Mr. GLADSTONE: I am very glad if he had a splendid record in the Army. I very much regret he did not keep it up.

Gateshead Bench Procedure.

Mr. BOWLES: I beg to ask the Secretary of State for the Home Department how many parents have been imprisoned by the Gateshead magistrates during the last twelve months for having failed to contribute to the maintenance of children forcibly taken from them and confined, against the parents' will, in reformatory and industrial schools; what was the total term of these imprisonments during that period, and the average amount of the arrears proceeded for.

*Mr. GLADSTONE: During the last twelve months twenty-one parents have been committed to prison by the Gateshead magistrates by non-compliance with contribution orders. The total of their terms of imprisonment, added together, is twenty-eight months, and the average amount of the arrears in respect of which proceedings were taken was £3 7s. 4d.

Chinese Immigrants in the Thames.

Mr. T. F. RICHARDS (Wolverhampton, W.): I beg to ask the Secretary of State for the Home Department whether his attention has been called to the detention at Blackwall of thirty-two Chinese as undesirable aliens; and whether he proposes to take steps to discourage such immigrants.

*Mr. GLADSTONE: I am aware that thirty-two Chinese immigrants are detained in the Thames because they cannot show that they have in their possession or are in a position to obtain the means of decently supporting themselves. The question of their admission is one for the Immigration Board, and I have no reason to suppose that the Board are not fully alive to their responsibilities in this matter.

Cutlery Imports.

SIR HOWARD VINCENT: I beg to ask the President of the Board of Trade if he is aware that the Trade and Navigation Returns show that up to the end of October in the present year £93,395 worth of foreign cutlery was imported, or nearly double that in the same period of 1904, and £31,000 more than in 1905; and if, having regard to the effect of such competition upon the working cutlers of Old Sheffield, he can state whence those imports of foreign cutlery have come, and if they bore any proportion of that taxation which is levied upon Home industry; and if he can give any reason for the doubling of the amount of the foreign competition since the accession to office of the present Government.

THE PRESIDENT OF THE BOARD OF TRADE (Mr. LLOYD-GEORGE, Carnarvon Boroughs): I am aware of the facts stated. While our imports of cutlery in the first ten months of this year have amounted to £93,000 in value or £31,000 more than in the same period in 1905, our exports of cutlery in the first ten months of this year have amounted to £585,000 or £39,000 more than in the same period in 1905. The increase in imports has been mainly from Germany and the United States, in which countries industry is certainly not free from taxation. I presume that the general expansion in trade accounts for the increase both in imports and exports.

SIR HOWARD VINCENT: Are these imports for foreign countries in proportion to the taxation levied on home industries?

MR. CHIOZZA MONEY (Paddington, N.): Is it not the fact that the increase in the prosperity of any country is usually marked by an increase in the imports of manufacted articles?

SIR HOWARD VINCENT: I would refer the hon. Member to the experience of the United States.

Trade Trusts.

MR. CHIOZZA MONEY: I beg to ask the President of the Board of Trade whether, in view of the growth of trusts, combines, and price rings in connection with the internal and export trade of the United Kingdom, he can see his way to appoint a Select Committee of this House to investigate and report upon the subject.

MR. LLOYD-GEORGE: I do not think any useful purpose would be attained at the present time by the appointment of a Select Committee to investigate and report upon the growth of trusts and other combinations generally. As my hon. friend is aware, a Royal Commission has been appointed to investigate the effects of one particular form of combination, namely, Shipping Conferences.

Railway Rates.

MR. J. WARD: I beg to ask the President of the Board of Trade whether his attention has been called to the difference in the railway rates for china and glass between London and Leeds and other parts of the country when packed in crates and casks and when in cases and boxes; and whether he proposes to bring this subject to the attention of the railway companies with a view to more reasonable rates being adopted.

MR. LLOYD-GEORGE: Complaint on this subject was made some months ago to the Board of Trade, who communicated with the railway companies concerned and transmitted their reply to the complaints. Since then the traders have not pursued the matter, but if they have any further representations to make, the Board of Trade will be happy to examine them and to consider whether a meeting could be usefully arranged for their discussion with the railway companies. I may, however, point out to my hon. friend that a difference in railway rates according to the nature of packing is expressly authorised by Parliament.

Commission on Shipping Freights.

MR. D. A. THOMAS (Merthyr Tydvil): I beg to ask the President of the Board of Trade if he is yet in a position to give the reference to and *personnel* of the proposed Royal Commission on Shipping Freights; and whether his attention has been called to the fact that the names of several of the proposed Commissioners have already appeared in the public Press; and whether it is in accordance with practice for such names to be communicated to the Press until His Majesty's approval has been given to their appointment.

MR. LLOYD-GEORGE: The terms of reference and the *personnel* of the Commission were published to-day. I have seen a newspaper paragraph containing the names of four or five out of the twenty-one Members of the Commission which appeared last week. Such unauthorised disclosure is not in accordance with the practice and is to be regretted.

Fambridge Reclamation Works.

MR. HAROLD COX (Preston): I beg to ask the President of the Local Government Board what is the total sum estimated to be expended by the central unemployed body on the reclamation works at Fambridge; and whether he has been able to form any rough estimate, by personal inspection or otherwise, of what will be the value of the land reclaimed.

MR. CROOKS (Woolwich): Will the right hon. Gentleman at the same time say if work of this character is not better for the unemployed than stone breaking?

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): I do not think I am called upon to express an opinion on that point. The total sum estimated to be expended is £17,950. I understand that so far as can be ascertained up to the present time, the value of the reclaimed land will be about £5 an acre.

London County Council Expenditure on Parliamentary Bills.

MR. BOWLES: I beg to ask the President of the Local Government Board when the Return of expenses incurred by the London County Council in promoting and opposing Bills in Parliament during the years 1903, 1904, 1905, and, as far as possible, 1906 (in continuation of Parliamentary Paper [H.L.] No. 214, of Session 1903), which was ordered on the 25th October, will be presented to the House.

MR. JOHN BURNS: The particulars necessary for the Return are being prepared by the County Council, and I understand that they will be forwarded to the Local Government Board in the course of a few days. The Return will be presented to the House as soon as practicable afterwards.

County Surveyors.

MR. VINCENT KENNEDY (Cavan, W.): I beg to ask the President of the Local Government Board whether candidates seeking to become county surveyors have to undergo an examination; does this examination apply to existing county surveyors who may be candidates; and is the examination conducted by the Civil Service Commissioners.

MR. JOHN BURNS: I can only answer the Question as regards England and Wales. So far as they are concerned, the appointment of a county surveyor rests with the county council. Candidates are not required by law to undergo an examination, and the Civil Service Commissioners do not conduct any examination of such candidates.

Education of Children Under Five.

MR. HAROLD COX: I beg to ask the President of the Board of Education whether his attention has been called to the Reports by women inspectors on children under five years of age in the public elementary schools, and in particular to the introductory Memorandum on these Reports by the chief inspector of public elementary schools, who states that there is complete unanimity that the children between the ages of three and five get practically no intellectual advantage from school instruction, and that the children admitted later can in six months or a year reach the same standard of attainment as those who have been in the school for two years previously; and whether this Report has been communicated to local education authorities throughout the kingdom.

THE PRESIDENT OF THE BOARD OF EDUCATION (Mr. BIRRELL, Bristol, N.): I have seen the Reports and the Memorandum referred to in the Question. It should be noticed that the "complete unanimity" referred to is not more than a general agreement on the part of five particular women inspectors, and it is doubtful whether even that unanimity extended so far as is stated in the Question. The volume was issued as a Parliamentary Paper and placed on sale in the usual way, so that every local education authority has had ample opportunity of obtaining it and perusing its contents. I understand that the actual number of copies disposed of exceeds 3,000.

Education Grants.

MR. HAROLD COX: I beg to ask the President of the Board of Education what is the total sum granted by Parliament to public elementary schools throughout the United Kingdom, and what is the amount out of that total which is spent upon children under five years of age.

MR. BIRRELL: The total sum granted by Parliament in respect of public elementary schools in England and Wales for the year ending 31st March, 1907, is £11,092,700. I have no information in regard to the second paragraph of the Question.

MR. HAROLD COX: Cannot the right hon. Gentleman get the information as to the second part?

MR. BIRRELL: I am afraid it is almost impossible.

Swansea Education Dispute.

LORD R. CECIL (Marylebone, E.): I beg to ask the President of the Board of Education whether the Swansea local education authority have declined and still decline to accord equal treatment to the teachers in the non-provided and provided schools there; and, if so, what steps he proposes to take to put an end to a situation which the Board of Education declared in July last to be unjust to the teachers and to be gravely imperilling the efficiency of the schools.

Notice had also been given of the following Question:—

LORD R. CECIL: To ask the President of the Board of Education whether, in the numerous disputes that have taken place between the local education authority in Swansea and the managers of the National Parochial and York Place non-provided schools there, the Board of Education, when referred to, has invariably decided in favour of the managers; and whether he will lay upon the Table the correspondence that has passed between the Board of Education, the managers of the schools, and the local education authority on the subject of these disputes.

MR. BIRRELL: I think it will be for the convenience of the House that I should answer at one and the same time both the Questions of the noble Lord. Considerable misunderstanding seems to prevail as to the nature of the matters now in dispute between the Swansea local education authority and the managers of certain voluntary schools. Article 15 of the Code requires that there shall be signed agreements for teachers employed in public elementary schools. The Board of Education found that this condition was not fulfilled in the case of certain voluntary schools in Swansea, and on seeking an explanation of this the Board of Education were informed that the managers declined to sign such agreements without the counter signature, or some other form of assent, of the local authority; and that the local authority declined to have anything to say to agreements between the managers of voluntary schools and the teachers who were appointed by those managers. The local authority stated that in their view it was the manager's business to make their own bargains and agreements with their teachers, and that the authority had no responsibility for such agreements and would not undertake any. Subsequent discussion elicited at last that this refusal by the local education authority was in part due to their view that they were not bound by the Education Acts to state beforehand what salaries they would pay in respect of the teachers in a voluntary school. On this, which was a point that had never before arisen under the Act, the Board of Education felt bound to ascertain authoritatively whether this contention of the local authority is consistent with the Act of 1902 or not; and I am taking the opinion of the law officers thereon. Until this has been done and this question has been decided, there are no steps that I can possibly take to settle this dispute; and in the meantime the local authority is maintaining the schools in question as heretofore. As a matter of fact, the local authority have hitherto paid, and are still paying, the teachers in these schools their regular salaries. But as the teachers consider these salaries to be insufficient, having regard to the scale prevailing in the council schools in the town, the teachers have declined to sign agreements containing these salaries. It is obvious that this further question of differentiation between the salaries of teachers in these schools and teachers in the council schools cannot possibly be considered until the other question that I have named, which is essentially a preliminary to it, has been disposed of. As the main basis of dispute between the authority and the managers is thus still under consideration, and cannot be settled for a little while, I think it would be highly misleading to publish officially the correspondence asked for in the Question, since it could not but give a misleading, because incomplete, presentment of the case.

LORD R. CECIL: Is not the substantial cause of dispute the refusal of the local education authority to pay their teachers the same salaries as are paid to council school teachers?

MR. BIRRELL: I do not think it has assumed that form at present. The difficulty arises from the local authority saying that they are not bound to pay any salaries at all. The other question may ultimately arise.

LORD R. CECIL: What about the disputes which have already taken place?

MR. BIRRELL: There have been a large number, and a good many, though not all, have been decided in favour of the voluntary managers.

Crown Lands on Sheppey.

MR. ALDEN (Middlesex, Tottenham): I beg to ask the Secretary to the Treasury whether the Commissioners of His Majesty's Woods, Forests, and Land Revenues have still unlet a large grass farm and land of over 1,000 acres in the Isle of Sheppey; if so, whether a loss or profit has been made as a result of farming by the Crown receivers during the past year; and whether he will consider the advisability of handing over this farm to the Local Government Board with a view to experiments on behalf of the unemployed.

MR. J. A. PEASE (Essex, Saffron Walden, for Mr. MCKENNA): The Crown land in the Isle of Sheppey referred to is at present unlet, but negotiations are proceeding for letting parts of it. The farm account for the farm year ended on 31st ultimo has not yet been made up, but that for the year which ended on 31st October, 1905 (including the usual valuations of the stock, produce, etc., on the farm as at that date) showed a substantial surplus. The Commissioners of Woods have no power to hand over land to the Local Government Board free of rent.

Scottish Churches Dispute.

MR. REMNANT: I beg to ask the Secretary for Scotland whether he is aware that notwithstanding the terms of The Churches (Scotland) Act, 1905, by which Commissioners were appointed to allocate property between the Free Church and the United Free Church in Scotland, and to make provision for the equipment of the Free Church in Leith, where there are fifteen United Free Churches, and in Aberdeen, where there are twenty-six United Free Churches, no church building of any kind has been allocated to or provided for the Free Church congregations in these towns; and, if so, and seeing that the Act gives the Commission power to make special arrangements in such cases, will the Secretary for Scotland bring the matter before Lord Elgin, the Chairman of the Commission, so that steps may be taken to remedy the existing hardships presently suffered by the Free Church congregations in Leith and Aberdeen.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): The whole responsibility for the proceedings under The Churches (Scotland) Act is with the Commission, but I am informed that the Churches in Leith and Aberdeen have been allocated in accordance with the statistical regulations of the Act, there being no dispute that the United Free Church congregations were entitled to this property under those provisions. The hon. Member is probably aware that the Commissioners have issued a Memorandum which explains their policy, and shows they are alive to the difficulties which the

Free Church may experience in such circumstances. It does not appear to me that I can properly or usefully intervene.

Barlinnie Prison.

MR. WATT (Glasgow College): I beg to ask the Secretary for Scotland what was the vacant cell accommodation in Perth Prison on the twenty occasions between 4th September and 10th October, when Barlinnie Prison was overcrowded; what was the average number of sick prisoners in the hospital ward of the latter prison on these dates; whether the regulations state that whenever any prison is overcrowded the governor must arrange for an instant transference of prisoners; and, if so, what steps he proposes to take.

MR. SINCLAIR: The Answer is, to the first part of the Question: The vacant cell accommodation at Perth varied on the twenty occasions referred to from 210 to 310. To the second: The number of sick persons in the hospital ward averaged 9·3. To the third the instruction is as follows:—"Timely notice should be sent by governors to Commissioners of any likelihood of the cell accommodation being inadequate owing to temporary increase in the number of prisoners." And to the fourth: The erection of an enlarged prison for the Greenock district which has already been authorised will relieve the pressure upon Barlinnie.

Electoral Reforms.

MR. LONSDALE: I beg to ask the Prime Minister whether his attention has been called to a recent address by the President of the Royal Statistical Society, in which it was pointed out, that whereas at the last General Election 2,818,050 Radical and Labour votes were cast, resulting in the return of 428 Radical and Labour Members, 2,200,898 Unionist votes were cast, resulting in the return of only 139 Unionist Members; whether he has taken note of the conclusion that while every Radical and Labour seat represents 6,584 votes, every Unionist seat represents 15,883 votes; and whether, in view of this condition of affairs, the Government intend to submit proposals for a reform in our electoral system before proceeding further with the Plural Voting Bill.

MR. SWIFT MACNEILL: Is the right hon. Gentleman aware that the president of this society is Sir R. Biddulph Martin, a former Member of this House, who at the last election lost a seat in the Birmingham zone?

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): I have not identified the gentleman in question.

MR. SWIFT MACNEILL: I know it is.

SIR H. CAMPBELL-BANNERMAN: No, Sir, the figures quoted by the hon. Member, which I believe are of a kind not unusually quoted after a general election, escaped my notice, and I am afraid that I must ask him to wait for those further reforms that he desires to see introduced into our electoral system until the Plural Voting Bill has been passed into law.

The Ridgeway Report.

SIR GILBERT PARKER: I beg to ask the Prime Minister in view of the precedent set by the Colonial Office in permitting the Member for South Berkshire to read and take extracts from the Bucknill Report and to give the information so obtained to supporters of the Government, whether the same facilities will be granted to a Member of the Opposition, interested in land settlement in the Transvaal and the Orange River Colony, to read and take extracts from that portion of the Report of the Ridgeway Committee which deals with land settlement; or will he lay this portion of the Report upon the Table of the House, together with the petitions of the settlers to the Committee, if they are not contained in the body of the Report.

SIR H. CAMPBELL-BANNERMAN: No, Sir, there is no such intention, but the House will be informed in due time of the course which the Government intend to pursue. The hon. Member must not assume that I admit the correctness of his analogy.

SIR GILBERT PARKER: Will no portion of the Report be laid on the Table?

SIR H. CAMPBELL-BANNERMAN: I do not know, I do not think it is likely.

Land Settlement in South Africa.

SIR GILBERT PARKER: I beg to ask the Prime Minister in view of the fact that opportunity has been given to the House of Commons to discuss the policy of the Government on all the main questions to be dealt with in the Letters Patent granting responsible government to the Transvaal, except in relation to land settlement, whether the Government will make a statement of policy on this question before the Letters Patent are issued and give facilities for discussion at the same time; and whether he will ask the Member for Wolverhampton to remove from the Order Paper the Motion standing in his name calling attention to land settlement.

SIR H. CAMPBELL-BANNERMAN: The hon. Member has called my attention to a notice of Motion standing in the name of my hon. friend the Member for Wolverhampton with reference to land settlement in South Africa. That Motion I would point out to my hon. friend is wholly unnecessary in view of the fact that there will be a full explanation of policy and opportunity for discussion when the Letters Patent are explained to the House. If this should fail—and I do not see how such a thing could happen—to afford the necessary opportunity we should be prepared to give the latter part of some day's sitting for this discussion.

MR. LYTTELTON (St. George's, Hanover Square): What is the reason for this pointed exception being made in the case of the land settlement question in which all Members on both sides are interested? Why are we not to have a full explanation of the policy of the Government before the Letters Patent are issued?

SIR H. CAMPBELL-BANNERMAN: No exception has been made in this case.

MR. LYTTELTON: Is the right hon. Gentleman aware that a statement was made last August by the Under-Secretary for the Colonies that all important matters relating to this constitutional question would be discussed, but omission was made with regard to any explanation of land settlement? What is the reason for this omission, and will an opportunity be given to discuss the question before the Letters Patent become final?

SIR H. CAMPBELL-BANNERMAN said there was no omission unless it were accidental, and the statement to be made would not only embrace all details of the constitution of the Transvaal, but sketch generally the whole constitution of the Orange River Colony, and include the question in which the right hon. Gentleman was interested.

MR. LYTTELTON: Is not the right hon. Gentleman aware that when once the Letters Patent are issued the thing is irrevocable and it will be too late to discuss it? Has the right hon. Gentleman determined to withdraw this important question from discussion by the House?

SIR H. CAMPBELL-BANNERMAN: I have already said the House will have full opportunity of discussing the matter.

SIR GILBERT PARKER: Were we not led to believe by what was said in another place that the Government would make a full statement to the House before the Letters Patent were issued?

SIR H. CAMPBELL-BANNERMAN: It would be extremely inconvenient to discuss the Letters Patent before they are in the hands of Members. I am under the impression that this was the course pursued by the right hon. Gentleman himself when he produced his constitution just after the House rose. I may be wrong; at any rate, we had no opportunity of discussing his new constitution for the Transvaal. I do not mention this as any matter of recrimination, but only to show that there is no harm done in this case, where there has been a full statement of the general lines of the new constitution. The Government prefer that when the House comes to discuss it it shall have the actual terms of the constitution before it.

*MR. ASHLEY asked if anything would be done to obviate the scandal of a single Member preventing discussion of any Question, however urgent, by putting a Motion on the Paper.

SIR H. CAMPBELL-BANNERMAN: We are familiar with that scandal.

Chinese in the Transvaal.

MR. MACKARNESS: I beg to ask the Prime Minister whether he is now in a position to state what steps are being taken by the Government to clear out of the Chinese compounds on the Rand all persons addicted to unnatural vice; whether the duty has been entrusted to the same officials who have hitherto failed to detect the offenders; and, if so, what further powers have been conferred upon them to insure that the work will be done more effectively than it was before.

SIR H. CAMPBELL-BANNERMAN: I understand that a careful search for such persons is being made in all the compounds. The officials and others entrusted with this work are those who know the Chinese coolies and their conditions best; and the mine managers themselves are fully alive to the importance from their own point of view of eradicating this grave source of evil. No further powers beyond those vested in the High Commissioner have been conferred, and as those powers in regard to the deportation of undesirable characters are already absolute and plenary, no extension of them is necessary or indeed possible.

MR. MACKARNESS: Have any special instructions been given to these officials?

SIR H. CAMPBELL-BANNERMAN: General instructions, not detailed instructions as to the particular method and time.

Chinese Labour Contracts.

MR. BURT (Morpeth): I beg to ask the Prime Minister whether it is part of the policy of His Majesty's Government in dealing with the Chinese Labour Ordinance in the Transvaal to leave the renewal of the three years contracts under which the coolies were imported an open question.

SIR H. CAMPBELL-BANNERMAN: I would appeal to my right hon. friend to await the publication of the Letters Patent of the Transvaal Constitution, where he will find the conditions governing the termination of the Chinese labour experiment set forth in full accordance with the declared policy of His Majesty's Government and their pledges to Parliament.

Colonial Conference.

MR. R. DUNCAN (Lanarkshire, Govan): I beg to ask the Prime Minister if he can inform the House as to the present state of the preparations for the coming Conference with the representatives of the Colonies and India, and as to the method of precedure and agenda for the Conference.

SIR H. CAMPBELL-BANNERMAN: The preparations for the Colonial Conference have made considerable progress. The agenda will be settled by the Secretary of State for the Colonies in correspondence with the Colonial Governments. The procedure will follow the general line of the previous Colonial Conferences.

QUESTION OF PRIVILEGE.

*MR. RIDSDALE (Brighton): I desire to call the attention of the House to a question of privilege. In the "Political Notes" in *The Times* to-day there appears a letter, signed by sixteen electors of the Thanet Division, which constitutes undoubtedly a most gross libel upon an hon. Member of this House. It seems to me that it is entirely contrary to the public interest and to the interests and dignity of this House that such a strongly worded libel as that should be allowed to pass unnoticed. I am aware that there are difficulties about raising a question of privilege, and I will read a short extract from "May" on that point—

> "And although privilege cannot be claimed for a Motion containing imputations upon the character of a Member which are not immediately connected with his conduct in Parliament, yet owing to attendant circumstances these Motions occasionally have been treated as privilege Motions. For instance, when on 22nd July, 1861, a Motion was proposed concerning the conduct of a Member in connection with a joint stock company, such conduct being wholly unconnected with matters arising in the House, the Speaker said it was doubtful whether the Motion was properly a

matter of privilege, but as it affected the character of a Member it could be proceeded with if it were the pleasure of the House."

In an ordinary case I quite agree it would probably be better for this House to let the matter pass without notice. But this letter is of so strong a nature —and certain of its particulars are fresh since the election of the hon. Member to the House—that I think it is essential, having due respect to the dignity of this House and its influence on the country at large, that the matter should be dealt with at once. I beg to move, "That the questions raised in the letter addressed to Mr. Speaker and published in the 'Political Notes' of *The Times* to-day be referred to the Committee on Privileges for their report." I ask that the letter upon which my Motion is based be read by the Clerk at the Table.

*MR. SPEAKER: I think it would, perhaps, be more convenient if the hon. Member would point out the particular paragraphs to which he takes exception. It would be unusual to call upon the Clerk at the Table to read an article if the House does not eventually take proceedings upon it. Perhaps the hon. Member will read the particular paragraphs to which he objects.

*MR. RIDSDALE: I think the letter as a whole really calls for the attention of the House more than extracts from it. [Cries of "Read the letter."] I will read it all—

"We, the undersigned electors of Thanet, deeply sensible of the high traditions of the House of Commons and of the respect due to you as the Speaker who presides over that great Assembly, think it right most humbly to bring to your notice certain grave matters which affect the character of Mr. H. H. Marks, the Parliamentary representative of Thanet, and his fitness to occupy that position.

"Mr. Marks is the founder, principal proprietor, and editor of the *Financial News*, and we desire to call your attention to the following legal proceedings:—'Regina on the prosecution of H. H. Marks *v.* Butterfield,' tried at the Central Criminal Court, 1890; 'Andrews *v.* Mockford,' 1895, 1 Q.B., 372 (C.A.); '*Re* E. T. Hooley,' examination in bankruptcy, November and December, 1898; '*Re* London and Globe Finance Corporation,' examination by the Senior Official Receiver, January, 1902, and the Official Receiver's report, February 24, 1906; 'Head *v.* Glenesk,' May 28, 1903; 'W. T. Tanqueray-Todd,' examination in bankruptcy, November, 1905; 'Rex *v.* Young and Jonas,' Central Criminal Court, October, 1906. We enclose copies of *Daily News*, September 26, 1904, and *Thanet Times*, November 21, 1906. These two articles contain a summary of the proceedings in some of the cases alluded to, in so far as the evidence affects Mr. Marks. We have carefully compared these articles with the verbatim or recognised reports of the trials and find the extracts correctly made. We therefore enclose the copies as a convenient method of putting salient facts before you.

"We venture with all respect to ask you to note that the foregoing cases prove that Mr. Marks in 1890 brought an action for criminal libel, which raised in the fullest way two distinct charges of the gravest kind, one upon his private character and the other upon his financial integrity. Both charges were found to be true and published for the public benefit, and Mr. Marks has never since submitted his character to the examination of a jury. In substance the charge against Mr. Marks's financial integrity, which was proved in Court and found to be true, was that of promoting a company under discreditable circumstances, and while concealing his own interest in it, using his paper, the *Financial News*, which posed as giving independent advice, to puff his own worthless promotion. The evidence given in the subsequent cases (the last occurred last month), and which we have specified, shows Mr. Marks either directly or through his newspaper accepting money as a bribe from promoters (more than one of whom have been sentenced to penal servitude) in order to do the same for their promotions. We conceive that a man who so uses a newspaper is guilty of gross dishonesty, and upon that point we would most respectfully call your attention to the words of Mr. Justice Bigham, who, upon hearing some of the evidence to which we have referred you, is reported as describing Mr. Marks as 'a scoundrel on his own admission' and a 'dishonest rogue.' You, Sir, will notice that the *Daily News* article was published in September, 1904, and we submit to you further extracts from the Press to show you that serious attacks have been made upon Mr. Marks and remain unanswered, although he might have taken legal proceedings.

"We humbly submit that a person of this notorious character cannot continue a Member of Parliament without impairing the confidence of the public in the honour and purity of the House of Commons itself. It is obvious that such a Member cannot act in any business involving public interests such as the business of a Private Bill Committee without arousing reasonable misgiving.

"Upon these grounds, Sir, we desire to represent to you, as the guardian of the honour and good name of the House of Commons, and through you to the House itself, that Mr. Marks is unfit to be a member of the House, and especially, being tainted in character and reasonably to be suspected of corruption, that he could not serve upon a Committee upon a Private Bill or otherwise act where money interests were involved without grave scandal to the honour of the House and serious injury to the public interest."

Having read the letter I now leave it in your hands.

*MR. SPEAKER: In my opinion, no breach of privilege has been committed in this case, because there is no charge against the hon. Member of having done anything in his capacity as a Member of this House and concerned with the transactions of this House. The charges which have been made are grave, but they do not concern the hon. Member as a Member of this House. That seems to me, looking back to the precedents, to be the rule which must be deduced in these cases. The hon. Member quoted a case in 1861. I think since then the House has very wisely narrowed rather than extended the question of breach of privilege. I am quite sure I am on sound ground in what I am saying, but, in order that the House may be quite convinced of the matter, I would like to quote two cases which have occurred—in the time of Mr. Speaker Peel and also in the time of my immediate predecessor. In the former case, the late Sir Wilfrid Lawson, on 22nd February, 1887, raised a question of breach of privilege where a newspaper had attacked a certain section of this House, and used some very strong language in regard to the Members comprising that section. Mr. Speaker Peel then said—

> "It has been the practice of this House to restrain privilege under great limitations and conditions. The rule is that, when imputations are made, in order to raise a case of privilege the imputations must refer to the action of hon. Members in the discharge of their duties in the actual transaction of the business of this House; and, though I quite understand the hon. Baronet's having brought this matter to my notice, I cannot rule that this is a case of privilege."

Mr. Speaker Gully, on 17th March, 1896, when his attention was called to a violent attack which was made upon the hon. Member for Middlesbrough by the *St. James's Gazette*, used these words—

> "In order to constitute a case of privilege there must be some attack on an hon. Member in respect of his conduct as a Member of the House. In the present instance there is a violent attack no doubt made on the character of the hon. Member in respect of transactions outside this House altogether. Therefore I do not see that it constitutes a case of privilege, nor do I think the fact that the writer of the article draws or states an inference that if those charges were true then the hon. Member against whom they are directed would not be fit to sit in the House—I do not think that inference merely at the end of the attack, which is entirely an attack on the hon. Member in respect of matters outside the House, would make that a breach of privilege which would not otherwise be so. I think, therefore, the hon. Member cannot treat this as a breach of privilege."

The last case quoted seems to be a case exactly in point. Therefore I follow the rule of my predecessors in saying no question of breach of privilege has arisen.

MR. H. H. MARKS (Kent, Thanet): Mr. Speaker, pursuant to private notice which I gave you to-day at the opening of the sitting, I desire to make a personal explanation. The letter addressed to you purporting to be signed by sixteen of my constituents, which has been published in *The Times* this morning, as I understand without your authority, contains charges against my personal character. These identical charges have already been made by these persons in my constituency during the past three years. The majority of the electors in the constituency have shown their opinion of those charges by twice returning me to this House. The courtesy with which I have been received in this House, and the reception accorded to me elsewhere politically, together with the fact that I enjoy the personal friendship of many of its Members, has encouraged me in the belief that the falsity and the malice of those assertions, which are known to me and to those who make them, have also been obvious to those whose opinion I value. The issue raised has already been twice decided in my favour by my constituents, on the last occasion by a majority of nearly 4,000 votes, and in the proportion of six to one against a candidate selected and supported against me, on the ground of these very charges, by the persons who have again given them publicity. But, the matter having now been brought directly before the House, it is my intention to take such line of action as shall, after careful consultation with my friends, appear to them and to me to be most consistent with my own honour and with the honour of the House.

PLURAL VOTING BILL—PROCEDURE.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling

Burghs): I rise for the purpose of making the Motion which I at once say is an unusual Motion. I hope, however, before I sit down to make it plain that it is at once justifiable and necessary in the circumstances. We are now about to enter upon the Report stage of a Bill which in Committee was examined in most minute detail. This Bill, a short Bill, of a very simple principle, to attain which a somewhat difficult machinery is necessary, occupied six days in Committee, less by two hours and three-quarters on one occasion, when the adjournment of the House was moved. Of this time four or five days were devoted to Clause 1, which was debated down to the last line, and the closure on which was only moved at a quarter to seven o'clock on 30th October. Of the Amendments of which notice has been given to the Report stage, nine pages refer to this same clause, and out of 139 Amendments 111 are a repetition of those moved during the Committee Stage. Of the remaining twenty-eight very few differ greatly in substance from similar Amendments which were moved in Committee. There has been a change merely in the authors of the Amendments. The offspring is the same, but the father is different. Can there be any doubt whatever that the tabling of these Amendments show the intention with which the whole proceedings are conducted? I will not say anything offensive, but I will say that the intention is to occupy as much time as possible or as is decent on this stage of the Bill. Is this in accordance with the proper use of the privileges by Members of the House? For an answer to that question I will fall back on the authority of the right hon. Gentleman the Leader of the Opposition, who has had a long experience of these Motions, and is acquainted with all the circuitous methods by which business can be either accelerated or delayed in this House. The right hon. Gentleman in February, 1902, when he was First Lord of the Treasury, proposed a batch of new procedure rules. One of them embodied the right hon. Gentleman's idea of the proper method of treating the consideration of a Bill on Report. That proposed new Standing Order was as follows:—

> "When a Bill is considered on the Report of a Committee of the Whole House, no Amendment may be moved, except Amendments moved by the Member in charge of the Bill and Amendments arising out of any changes in the Bill made in Committee."

That new Standing Order was, however, never reached, and was therefore not considered. It may be said that that is a long time since, and that the right hon. Gentleman may have changed his mind. But in May of this year, when he kindly appeared before the Committee on Procedure, he stated his views with a frankness for which the Government are deeply indebted to him. The right hon. Gentleman then said his general idea was that the Report stage should revert to what it was originally intended to be—

> "Not a re-discussion of the whole Bill, as if it were in Committee, but a procedure dealing with points which had been omitted in Committee, introducing Amendments which the Government had promised, and dealing with any subjects which were consequential on Amendments that had been introduced in the Committee stage of the Bill. I should like to see something of that sort tried, and to give to the Member in charge of the Bill the sole right to make new proposals."

There is the view of the highest authority I can quote. That is the deliberate opinion of the right hon. Gentleman. I entirely agree with those views, and if ever there was a case to which they apply with force and authority it is the case of the Plural Voting Bill, which does not come from a Committee upstairs, but has been amply considered by Committee of the Whole House. Recognising that if these multiplied and repeated Amendments are to be proceeded with in the ordinary leisurely fashion a great deal of public time which might be better employed will be purely wasted, I ask the House to prescribe a time limit of the kind which we are accustomed to see applied where a great Bill has lagged in its course and requires to be hurried towards a conclusion. I have said before that this is a clumsy and not very agreeable proceeding. It is unfortunate that it rests with the Leader of the House, who is of course a Party man, to make such a Motion. There will be immense advantage—if it can be accomplished—in setting up a dispassionate tribunal more or less of the nature and after the pattern of the Committee of Selection to decide with regard to a Bill, to each stage of the Bill, and possibly even to the parts of the Bill, what time ought to be allowed for discussion. That is what I hope we shall bear in mind, and endeavour to accomplish by-and-by if it can be accomplished. I am quite aware there may be difficulties in the way, but with good will they may be got over. In the meantime the Government has to do what it can, and if ever a Motion of this sort was justified, I think it is justified in this case by the repetition in the face of all that has happened of the same old Amendments which were discussed at such ample length a month ago. I wish to correct the idea implied in some statements in the Press that this day and Tuesday are the two allotted days. For the new clauses there will be allowed what remains of to-day and Tuesday, and the other Amendments will be taken on Wednesday. I beg to move.

Motion made, and Question proposed, "That two allotted days be given to the Report stage of the Plural Voting Bill, and that the proceedings on new clauses, if not previously brought to a conclusion, be brought to a conclusion on the first allotted day, and that the remaining proceedings on the Bill and the Schedule and any other matter necessary to bring the Report stage to a conclusion, if not previously brought to a conclusion, be brought to a conclusion on the second allotted day. Any day after this Order comes into operation on which the Plural Voting Bill is put down as the first Order of the Day, shall be considered as an allotted day for the purposes of this Order. At 10.30 p.m. on an allotted day, the Speaker shall, if the proceedings which are to be brought to a conclusion on that day have not already been brought to a conclusion, put forthwith the Question or Questions on any new Clause, Amendment, or Motion already proposed from the Chair, and shall next, so far as is necessary to dispose of the business to be concluded on that day, proceed successively to put forthwith the Question on any new clauses or Amendments moved by the Government of which notice has been given (but no other clauses or Amendments), and on any other question necessary to dispose of the business to be concluded, and in the case of Government Amendments or of Government new clauses, he shall put only the Question that the Amendment be made or that the clause be added to the Bill, as the case may be. At 11 p.m. on the day on which the Third Reading of the Bill is put down as the first Order of the Day, or if that day is a Friday, at 5 p.m., the Speaker shall put forthwith any Question necessary to conclude the proceedings on that stage of the Bill. Proceedings to which this Order relates shall not, on an allotted day, be interrupted under the provisions of any Standing Order relating to the Sittings of the House. On an allotted day and on the day on which the Third Reading of the Bill is put down as the first Order of the Day, no dilatory Motion on the Bill, nor Motion for re-commitment of the Bill, nor Motion for adjournment under Standing Order No. 10 shall be received unless moved by a Minister of the Crown, and the Question on any such Motion shall be put forthwith without debate."—(*Sir H. Campbell-Bannerman*).

MR. A. J. BALFOUR (City of London): It seems almost ungracious after the speech to which we have just listened for me to rise and criticise either the Motion or the apology for the Motion which has just been made by the Prime Minister, for he has been good enough to say that I am the highest possible authority upon all questions of Parliamentary procedure, and he has discovered merits in those proposals and suggestions which I have from time to time made to the House with regard to the conduct of public business which I never remember him to have uttered when those proposals were made by me from the Ministerial side of the House and when it was the right hon. Gentleman's business to criticise and appraise their value from this side of the House. The Prime Minister has quoted with great eulogy two speeches which I have made upon subjects connected with the matter now under discussion. I observe that he carefully forebore to quote with or without eulogy any speeches made by himself upon the same subject. If I had time and the inclination and had I foreseen the particular line of defence of the right hon. Gentleman I think I could have discovered some gems of eloquence, not less pure and bright than those which he has spread before us, from an authority which the reciprocal character of common courtesy requires me to describe as the highest authority in the House upon matters of business—at all events next to myself. I was greatly surprised, I must frankly admit, at the line which the right hon. Gentleman took, for more than one reason. I was surprised among other reasons because one of the grounds on which he asked the House and the country to place him in the position he now adorns was that he wished to restore to the House of Commons that liberty which a tyrannical Government had taken from it. But that is not the only or even the chief cause of my surprise. What was the right hon. Gentleman's defence? In the first place he said that the proper time for discussing a Bill was during the Committee stage and not the Report stage, which ought to be restricted somewhat in the manner in which I have from time to time suggested it should be restricted. On that point I should like to ask how that is consistent with the very Standing Order which he is going to propose for the future conduct of our business. I have always thought, and still think, that the Committee stage in this House should be the stage in which all Members are invited to take part. I do not think you will ever get a substitute for this House in any Committee upstairs, but I have always recognised that if the right of fully discussing a Bill in Committee of this House is insisted upon, it would probably be desirable to lay down some general principle for restricting discussion on the Report stage. But that is not the scheme of the right hon. Gentleman. That is not the Standing Order which he and his friends are proposing, for they are now proposing to abolish the Committee stage altogether, and throw all the weight of the discussion on the Report stage. The right hon. Gentleman has quoted my authority for saying that there ought to be certain kinds of restrictions upon discussions on the Report stage of a Bill. The advantage of the plan I suggested, however, is that, though the area of discussion would be limited, in that area the freedom of debate would be complete; all the new proposals and their consequences would be discussed, and there would be no limitation on the freedom of debate except the broad principle that only certain things should be discussed. Under the proposals of the Government, on the contrary, there is sure to be a repetition of discussions which take place at the Committee stage, the Bill being one on which feeling runs high, and it is very likely that the lengthy and elaborate proposals made on behalf of the Government will not be reached in time to be debated.

May I remind the House that they have only two days to discuss this Bill, and as the right hon. Member in charge of the measure has put down in his own name Amendments greater in length and greater in space on the Notice Paper than the whole of the original Bill, it is very expedient that we should have full opportunity of discussing that which by the admission of the Prime Minister is a proper matter to discuss on the Report stage. I cannot think that in quoting me the right hon. Gentleman could have understood exactly what my proposal was, because he really has violated it in all its essential particulars. All that is good in it he has omitted, and all that may be bad in it in the way of curtailing debate he has now sedulously retained. We have great reason to complain both of the matter and the manner of the right hon. Gentleman's suggestion. As regards the manner of it surely we might have had—I will not say the courtesy for I am sure that he is never lacking in courtesy—but the Government might have so arranged that this Motion should have been put down when Amendments could have been put on the Paper. There is nothing new in the condition of the Order Paper with regard to the matter. The Government knew perfectly well where they stood on Thursday as well as on Friday. If the Resolution had appeared last Friday morning it would have been possible for my friends to put down Amendments if they desired to do so, instead of having the Motion thrust at our heads on Monday morning when it was quite impossible to give the House any opportunity of discussing alterations which it may be proposed to make in the body of the Resolution. So much for the manner which the right hon. Gentleman has chosen to adopt. Now as regards the substance. Does the right hon. Gentleman realise that, while he is from time to time moving these gagging Resolutions, and while he has asked the House after a fairly laborious session in the earlier months of the year to meet for a prolonged autumn session, he has never condescended to give the House an account of the way in which he proposes to use the time at his disposal? He has had plenty of opportunities for doing so. He might have done so on the Motion for the adjournment in August, or during the present session, or this afternoon. We do not know now how he means to dispose of the time, or why he means to dispose of it in this way. This is vital and relevant to the Resolution before us. He cannot give us three or four days to discuss the Report stage of this Reform Bill, because, I presume, the pressure of public business is so great. If it is absolutely impossible to give more than two days, what is the pressure of public business? How does he mean to occupy the time that still remains to him before Christmas? Does he mean to stop at Christmas? He has given no outline of the scheme of the Government such as every other Minister in his place asking for these exceptional powers has always given to the House. When we consider in more detail how he is treating the House as regards time, the astonishment, and, I am bound to say, the indignation at the way we have been treated in this matter increases instead of diminishes. I will explain why I say so. He is giving only two days to discuss this Bill instead of three or four. [AN HON. MEMBER: Three days.] He is giving only two complete days instead of three or four days which might reasonably be asked for. Why this limitation? He has announced to the House that he means to take the Second Reading of a very contentious Bill which he does not mean to pass—which he does not mean to carry further—namely, the Small Landholders (Scotland) Bill. That is a Bill which embodies a principle which may be right or wrong, but it is of the most contentious description, and it is inconceivable that any debate on the Second Reading of that Bill should take less than two days, and it will probably take more. I do not suppose that the most sanguine of Government Whips would suppose that it would take less than two days. These two days are not going to lead to legislation, because, by the admission of the Government, that Bill is not to proceed further in the course of this session. Why cannot we have those days given to the discussion of this Bill? Why cannot we have one of them? Can any reason be assigned for refusing? Have we been brought up for an autumn session, not to discuss Bills that are to be passed, but to have abstract discussions of great principles embodied in Bills which are never to be carried further, at all events, in the course of the present year? That is one of the questions on which I should like to get some satisfaction from the Government. But observe, that is not the only thing. They have occupied the autumn session not with their own Bills, but with other people's Bills. The Labour Members have more than once, indeed on several occasions, begged the Government that one of their own Bills, which I understand must be passed, should be pressed forward, and I am sure that I personally desire to see it passed—I mean the Workmen's Compensation Bill. It never has been pressed forward, whether because the Government and the Labour Members cannot come to an agreement, I do not know. At any rate, it is not there. The time of the House will be occupied not with Bills which the Government themselves have prepared, not with Bills for which the Government are ready to be responsible, but with Bills brought in by other people, drafted by other people, which the Government have adopted, largely for the purpose of throwing them over when debated, and at all events, with no benefit, so far as I can see, either to the dignity of the House, or the propriety of the methods by which we carry on legislation. Are these circumstances under which it is fair or proper to ask this House to have its liberties curtailed on an important stage of what is a great disfranchising Reform Bill? I should have thought that if there was a Bill in this House with regard to which the Government would be careful not to ask the Opposition unnecessarily to surrender any of its rights of debate, it would be a Bill of the character of that with which this Resolution is concerned. Consider what this Bill is. In the first place it is a Reform Bill—the kind of Bill to which as yet no man has ever attempted to apply the closure by compartments. That is not all. It is a Bill avowedly and plainly directed against a small section of this House—a section whose numerical power in this House is by universal admission very much less than that of the constituencies which they represent in the country. We are relatively a small number in this House—and no doubt that is a matter on which the Government will legitimately congratulate themselves—but I venture to think that when a Government with a majority of 300 at its back brings in a Bill intended for no other purpose than to diminish that already numerically small band; when clearly and manifestly they are not animated or moved by any broad principles as to the manner in which the franchise should be distributed, either among classes or among sexes; when they have narrowed the whole issue to one in which they think that their own friends will not suffer, and that if there be a loss that loss will be confined to political opponents—then I am bound to say that I should have thought that any Government having to deal with that situation would have relaxed rather than tightened the opportunities for discussion in this House. When I think how easily that opportunity might have been given without sacrificing a single Government measure, without at all diminishing the discussion of any Bill intended to pass, without losing caste among their own friends or popularity in the country, I am amazed at the policy and the motives which seem to have animated the Prime Minister and his friends. It is of course impossible for us to make any successful opposition in the division lobby to this, or indeed any other Motion by which the Government choose to curtail the opportunities of debate which the small party to which I belong still possess. They have the power, they can use it, but at all events let it be remembered that the manner in which they have chosen to use it on the present occasion is not in accordance with the principles which, quoting from me, they say are the principles which ought to govern our behaviour on the Report stage, and let it also be remembered that they are applying this tyrannical method to a measure which is directed by an overwhelming majority against the interests of those who are in a small minority in this chamber.

THE CHANCELLOR OF THE EXCHEQUER (Mr. ASQUITH, Fife, E.) said he could not refrain from congratulating the right hon. Gentleman upon the unexhausted and apparently inexhaustible capacity of his reservoir of Parliamentary indignation. Constant and copious as were the drafts which he had of late made upon it, the supply seemed to be as unfailing as the widow's cruse. When they remembered during the course even of this short autumn session the terrible things the right hon. Gentleman had said, first about the Trade Disputes Bill—the history of which he thought was a significant commentary upon the reality and genuineness of these blood and thunder displays—then upon the Bills of private Members which the Government, with parental care, had adopted and adapted to the stress of Parliamentary life—he did not think that on Friday last there was a very great or formidable array of opposition—and when they remembered further all the right hon. Gentleman had said about the Prime Minister's notorious slipperiness and chicanery in the management of Parliamentary business——

MR. A. J. BALFOUR: I never said that.

MR. ASQUITH: Well, something very like it.

MR. A. J. BALFOUR: The right hon. Gentleman is mistaken as to what I said. It never occurred to me to suggest, and I never did suggest, that the right hon. Gentleman was guilty of chicanery or that he is a slippery customer. I never said it, and I never thought it. I did think, and said more than once that statements have been made which had, although unintentionally, the effect of deceiving the House as to the prospects of its business. That is quite a different matter.

MR. ASQUITH said he was glad to have elicited that statement. His words were not used in the sense supposed. He was only recalling the various previous occasions on which the right hon. Gentleman had used language very much like that to which the House had just listened. He would have thought that the right hon. Gentleman had now almost reached the end both of his faculty of reprobation and of his vocabulary of protest. But that was not the case. Here he was again, in a fresh coat of war-paint, not satiated himself, however his audience might be, by the constant display of his Parliamentary indignation, and if he might without offence, say so, imbued with a double portion of the spirit of Jonah and Jeremiah combined, delivering once more to the House his now well-worn message of denunciation and of warning. He asked again, as he asked once before, what was it all about? What did it all come to? What was this terrible innovation for which the Prime Minister had made himself responsible? He said without fear of contradiction that this

Parliamentary institution of the guillotine, discovered by the right hon. Gentleman himself and now nearly attaining its majority, had never been applied so gently, so tenderly, and so considerately as in the Resolution now before the House. So far as his memory served, there had never been an occasion of the application of the guillotine by the right hon. Gentleman opposite when it had not been applied to the Committee stage as well as to the Report and Third Reading stages. In this case the Government had deliberately waited until the Bill had been exhaustively discussed in Committee with the minutest detail. Now, on the Report stage, they asked to give not two days, but part of three (because, if they chose to pass the Resolution, they would have that evening), to the revision of proceedings in Committee. The right hon. Gentleman had complained of a new method. What was the new method which the Government had introduced? It consisted in this, that, the new matter introduced by the First Commissioner of Works being for the most part merely in fulfilment of undertakings given in Committee to right hon. and hon. Gentlemen opposite, the time had been distributed so as to suit what was believed to be the convenience of the House. As to the general complaint that the Government had not given sufficient indication as to how they were going to dispose of the time of the House, the right hon. Gentleman knew very well that the Workmen's Compensation Bill was to follow. It was in order to proceed with that Bill effectively, and at the earliest possible moment, that the Government, on seeing the enormous crowd of Amendments to the Plural Voting Bill on subjects already disposed of in Committee, thought it necessary, in the interests of both measures, to bring the Report stage of this Bill to an early conclusion. The Government could not say how the remainder of their time would be spent until they knew what took place in a different atmosphere and under different conditions for which they had no responsibility. The right hon. Gentleman could be sure that it was the earnest intention of the Government to carry into effect their legislative programme, and, in particular, to pass into law the Workmen's Compensation Bill. They believed that when this Plural Voting Bill—the principle of which had been decided on the Second Reading, and the details of which had been thoroughly threshed out in Committee — had, in three more days, reached its final termination as far as this House was concerned, there would be time left for the passing of those measures without the passing of which they would not consider that they had done their duty to the House and the country.

MR. LAURENCE HARDY (Kent, Ashford) said that after listening to the speech of the Chancellor of the Exchequer, he certainly thought the right hon. Gentleman had no right to make use of the argument that this Resolution ought to be adopted in order to give time for the Workmen's Compensation Bill. That Bill, it was very well known, was a Government Bill, which the Government meant to pass, and the time given to the Land Tenure Bill and the Irish Town Tenants' Bill should have been taken for it. After the evidence given before the Procedure Committee, and the argument used by himself, as to the proposal to remove all Bills, except those which the Government chose, from consideration at Committee stage in the House itself, a Party majority voted down any suggestion of dealing with the Report stage after the manner adopted now by the Prime Minister. He thought it was necessary for independent Members to rise and protest against this Resolution. If the House allowed the procedure to be pursued in regard to this Bill, they might find next year a Resolution introduced that on certain Government Bills the Report stage should be reduced, and the general and detailed discussion of the Bills removed from the House. The very danger of the argument used by the Prime Minister compelled him to protest against it, because the Chairman of the Procedure Committee had said that there was nothing in the mind of the Government which would impel them to cut short discussion on the Report stage. The Chancellor of the Exchequer had said that the Amendments might be roughly divided into two parts—one half to new clauses, and one half to Amendments, to which a day and a half were to be given. And one day was to be given to the Third Reading. The Report stage was of peculiar importance to hon. Members on the Opposition side of the

House, and it was impossible to discuss in one day all the Amendments put down for that stage as well by the Government as by private Members. Whatever might be the merits or demerits of the Resolution, he contended that it was a very strong one; and, moreover, it was the first guillotine Resolution which had been applied to a Reform Bill. If they could not make any impression with regard to the general rule itself he earnestly urged upon the Government that they should give them further time to consider the clauses so that the proposals of the Government might be open to further consideration.

SIR FREDERICK BANBURY (City of London) agreed that the defence of this Motion by the Prime Minister called for a strong protest by all the Members of the House. The Leader of the Opposition had pointed out that when their Party was in power, not only the Prime Minister but all his supporters in the Press were continually saying that the tyrannical action of the then Tory Government had flouted the House of Commons, deprived Members of their rights, with the result that no one except the Tory Government had any power of action. The first action on the part of the Liberal Party, if they come back, it was said, would be to restore to the House of Commons the supremacy which the Tory Party had taken away. But instead of restoring the supremacy of the House of Commons, the right hon Gentleman opposite had treated the Opposition with a greater want of consideration than, during the fourteen years he had been in Parliament, he had ever seen exhibited by any Party towards its opponents. The Prime Minister said that his reason for this Motion was that he thought the Report stage should be very much curtailed, but if the right hon. Gentleman thought that he should have made certain rules with that object, and should have brought those rules forward and applied them to all Bills. The right hon. Gentleman had not done that, but had taken this one particular Bill, and at the commencement of the Report stage, before the Bill had ever been discussed, moved the guillotine, on the ground that his right hon. friend the Leader of the Opposition had made some proposals sometime ago which had never been discussed. Instead of being curtailed he thought the proceedings on Report should be extended, and that Members should be permitted on that stage to speak not only once but twice or thrice upon any particular subject. That, however, was not what the right hon. Gentleman proposed. The Prime Minister merely said that there would be two allotted days, and that whatever Amendments came up in those two short days would be discussed and if Amendments did not come up they would not be discussed. To take a Bill of this sort, a disfranchising reform Bill, and to prevent Members on that side of the House who would be affected by it, while hon. Members opposite would not be so affected, from discussing it was unfortunate. It was a Bill for diminishing a very small Party, and to take away from the people who by their ability and energy had acquired a stake in the country what little power they had, simply because they did not support hon. Members opposite. The Prime Minister might have paused before he made this particular Motion on this particular Bill. As to the Amendments on the Paper, they were nearly as long as the Bill itself. As a matter of fact, he believed that the Amendments moved by the First Commissioner of Works covered 117 lines, while the Bill itself, as originally drawn, covered only sixty-seven lines. The very fact that the right hon. Gentleman who introduced the Bill had nearly to double it on the Report stage showed that the Bill was not well drafted. It was all very well for the Chancellor of the Exchequer to say that the Amendments meant nothing, and that they were brought forward in deference to pledges given to hon. Members of the Opposition. That did not mean anything and did not alter the nature of the Bill, which was only brought forward as a sop to hon. Members below the gangway. He had never before heard such a ludicrous defence. If these Amendments were unnecessary and did not mean anything, why should they be brought forward at all? He contended that these Amendments or series of Amendments were vital, because they dealt with the machinery of the Bill. As the Bill was originally introduced it was impossible to carry it out without disfranchising a very large number of people whom he really believed the Government had no intention of disfranchising, and in order to remedy the defects of the Bill they had been obliged to bring in these new Amendments, which would take up a large portion of the time allotted to future discussion. Was the fact that they had been obliged to do that any reason why the Amendments of the Opposition should not be dealt with, and that they should be prevented from expressing their opinions upon a Bill which affected them so vitally? They were told that some of the Amendments had been moved on the Committee stage, and that was true, but it was the first time that he had heard that because an Amendment had been moved on the Committee stage it might not be moved on the Report stage. It was quite possible that between the Committee and the Report stages more mature consideration might have changed the opinions of those who objected to an Amendment. It was not only useful but necessary to bring up Amendments which had been moved in Committee. The Prime Minister had given no reason for moving the guillotine before the discussion had commenced, and, as far as he remembered, in all cases in which the guillotine had been moved it had always been after the Committee or Report Stage, whichever it was, had been entered upon, and had been in existence for some time. He could not see what justification there was for moving the guillotine at that moment. There never had been a case in which a Government had commanded such an immense majority, and yet they had not been able to carry on their business without sitting up all night, suspending the eleven o'clock rule, or moving a guillotine Motion. A more striking commentary upon their proceedings in this House he could not conceive, more especially as when the Party opposite were returned they said they were going to manage business in such a way that members of the Opposition and private Members would have an opportunity of expressing their opinions, which opportunity it was said they had not before had. Yet the Opposition, small as they were, had been treated in such a way that their opportunities of expressing their opinion and of criticising had been curtailed and their privileges diminished.

MR. T. L. CORBETT (Down, N.) said that one of the most significant points about the alliance of the Nationalist and Ministerial Parties was the conspiracy of silence between the two benches. They were indeed becoming accustomed to silent and absent Ministers or to Ministers who were unwilling or unable to reply to the arguments advanced. A still more serious aspect of the question was the muzzling order which it was now sought to apply, not only to hon. Members above the gangway, but to those below the gangway, who used to be the most ardent supporters of liberty of speech. Where were those Members now? They had all of them become miserable slaves of the closure. He asked hon. Members below the gangway to shake off this yoke which he knew must be galling to all of them. He appealed to the Prime Minister in the name of freedom of debate and of common humanity to take the muzzle off and to put an end to the conspiracy of silence.

SIR FRANCIS LOWE (Birmingham, Edgbaston) agreed with the remark of the Prime Minister that this was an unusual Motion. It was unusual as regards both the Bill to which it related and the time at which it was brought forward. The time was most inappropriate, for the reason that a Reform Bill which was to alter very materially the electorate of this country ought to be brought forward in the last session of an old Parliament rather than in the first of a new one. Not only was this the first session of a new Parliament, but it was an autumn extension of a first session, a thing which in itself was almost unprecedented, Therefore to bring forward a Reform Bill in an unusual autumn session in the first year of a new Parliament was a most unprecedented proceeding and if a course so unusual was to be adopted at all it ought to be adopted with regard to some measure which was framed on broad-minded, fair and reasonable lines. But this Bill answered none of these conditions, for instead of dealing with the whole subject of Electoral Reforms in a broad-minded spirit it only dealt with one anomaly, because that anomaly told most against the Radical Party. But there were many other anomalies in the present electoral system which ought to be carefully considered in connection with this one, and if possible removed, at the same time, and if the abolition of plural voting had been embodied in a Bill which at the same time dealt with all the anomalies of our electoral laws he was not prepared to say that he would not have voted for it. But the Government had picked out this one anomaly in order that they might gerrymander the constituencies, and especially the county constituences, in their own interests. If this Bill were passed it would have the effect of taking away voters from a good many constituencies which were already small, whilst leaving untouched other constituencies which were a good deal larger than they ought to be. That the present electoral system worked unfairly was made quite clear by a Question addressed to the Prime Minister earlier in the afternoon, which showed that those who sat on the Opposition side of the House represented two or three times as many electors as those who sat on the Ministerial Benches and the Benches below the gangway. Under all these circumstances this Plural Voting Bill was the last Bill in the world to which such a Resolution as this should be applied. Another reason why further time should be allowed for the consideration of the Bill was the admission made by the right hon. Gentleman in charge of it, during its earlier stages, that a large portion of it was unworkable as it stood, and that a great many Amendments would have to be introduced before it could be put into operation. The right hon. Gentleman had found it necessary to practically redraft the whole Bill and to bring before theHouse on the Report stage such a large number of Amendments as to practically alter its character. That was an unanswerable reason why a larger amount of time should be allowed for the Report stage. It was, he supposed, quite impossible now to persuade the Prime Minister to withdraw the Motion, but he appealed to the right hon. Gentleman to allow a little further time, and suggested that if three or four days were allowed instead of two they would be able at once to get to the discussion of the Bill itself.

MR. WYNDHAM (Dover) said that when the Chancellor of the Exchequer took the unusual course of immediately following his right hon. friend the Leader of the Opposition everybody supposed that he was prepared with a case that would shatter the arguments of his right hon. friend, but that was not so. The Prime Minister in moving his Motion relied on authority because there was no precedent for the course which he pursued. Never before had closure by compartments been applied by any Government to more than one Bill in one session. It had been applied originally only when urgently needed. Then it was applied to the principal measure of the year when it became evident that that measure could not be carried even with an autumn session, and it was against such a case that no one so violently protested as the Chancellor of the Exchequer himself. The right hon. Gentleman talked about blood and thunder, but if anybody contrasted the closely reasoned and courteously presented speech of the Leader of the Opposition with the method which the Chancellor of the Exchequer had thought applicable to totally different circumstances when such procedure was necessary in order to prevent the whole legislation of the House being brought to naught at the end of the session, they would see that there was no blood and thunder so far as his right hon. friend was concerned. The Chancellor of the Exchequer in 1904 did not condescend to arguments.

MR. ASQUITH: What was the Bill?

MR. WYNDHAM said the Bill was the Licensing Bill. The right hon. Gentleman devoted several long passages of his speech to showing how important the Bill was and how it affected the whole country; that it was the Bill of the session; and he complained of this procedure being applied to it but he did not condescend to argue the matter.

MR. ASQUITH: At what stage of the Bill was the closure applied?

MR. WYNDHAM: After it became evident that no other business could be done and that that business could not be done.

MR. ASQUITH: It was in the early stages of the Committee.

MR. WYNDHAM said the interruptions of the right hon. Gentleman did not refute his (Mr. Wyndham's) argument that this method of procedure should be applied once only in the course of a Parliamentary year and to the principal Bill of the year. On that occasion the right hon. Gentleman decribed it as "an outrage to the dignity of the House of Commons," but when the Leader of the Opposition in a moderately worded speech pointed out that this was not directed against a principal, but a secondary Bill, the right hon. Gentleman accused his right hon friend of indulging in blood and thunder. When the right hon. Gentleman was confronted with a far less drastic interference with the liberty of debate when in opposition, he said the Government could not complain of any difficulty in getting through their business because criticism must bear some proportion to the area of criticisable matter. The Government were now dealing with a far more drastic procedure and he (Mr. Wyndham) also said that their criticism must bear some proportion to the criticisable matter. What did that matter consist of? It consisted of an adopted, or as the right hon. Gentleman termed it, an adapted Bill which the Government had taken over from a private Member.

MR. ASQUITH said the right hon. Gentlemen knew quite well that this Bill would have been taken two or three weeks ago had it not been for the unfortunate illness of the right hon. Gentleman.

MR. WYNDHAM asked whether they were to understand that the Land Tenure Bill and the Town Tenants Bill would not have been carried through by the Government if the right hon. Gentleman had been present to conduct this Bill.

MR. ASQUITH said he was explaining why it was they took them before this Bill.

MR. WYNDHAM said they would have been taken after. Having dealt with all the Government business the House was then to be invited on the eve of Christmas to deal with private Members' Bills. They had to deal with facts as they found them. Here were measures introduced by private Members, which had to be re-drafted from the first line to the last, occupying their attention day after day and week after week, and then the Government said they were under the necessity of allowing only two days to the Report stage of one of their own Bills. It upset all one's notions as to the conduct of parents, and if parents had so behaved towards their offspring in days past Solomon's wisdom could not have rested upon the incident that was connected with his name. The Government had added to the time allocated for the discussion of two Bills brought in by private Members, but when the Government came to their own child the Chancellor of the Exchequer said they were prepared to deal with it in a rough and ready manner. It appeared that the Government cared more for the two private Members' Bills than for their own Bill. He thought that was rather ungracious of the Chancellor of the Exchequer towards his colleague. In this Bill there was a considerable area of criticisable matter. The Prime Minister had urged against them that they were quarrelling with Amendments put down to meet their wishes. That was not so at all—at least it was not so in any great measure The bulk of the Amendments, or at any rate the voluminous Amendment, was called for by the fact that the Government found their original Bill would not work at all. They talked about a Plural Voting Bill, but when it was discussed in Committee it turned out to be not a Plural Voting Bill but a Bill to deal with a man who had a dual qualification, and because they had drafted the Bill upon those lines they found that they would disfranchise altogether a number of men who had a vote. The Government discovered that a man with one vote, if he subsequently secured another vote, would be disfranchised altogether and lose, not one vote out of two, but the vote he had originally. It was because of the fundamental objection to the method in which the Government treated the problem that they had to recast their measure and put down this voluminous Amendment which they wished to be hurried through without adequate discussion. Since the Amendments had been put down not as a favour to the Opposition, but because the Government Bill was not much better drafted than the private Members' Bills for which they had made themselves responsible, and since the Government were applying a method to a Reform Bill for which there was no precedent, he wished the Opposition could emulate the indignation which the Chancellor of the Exchequer had expressed on a previous occasion. He would conclude as the right hon. Gentleman concluded, but for far better reasons—

> "Is the House prepared at the invitation of the right hon. Gentleman to take this last step on the road to humiliation and impotence? I trust it is not. At any rate it is to save ourselves from an ignominous suroender of our privileges and to save those who come after us from a disastrous precedent that the right hon. Gentleman moved the Amendment."

He trusted the Opposition would have equal courage with far greater cause.

MR. STANLEY WILSON (Yorks, E.R., Holderness) protested against the procedure of the Government. Neither the Prime Minister nor the Chancellor of the Exchequer had given the slightest reason for forcing on the guillotine; nor had they disclosed the business they intended taking during the remainder of the autumn sittings. He could not help thinking the reason for this was that the Government intended to make an early appeal to the country, and before the next general election they wished to disqualify a few voters who were opposed to them. It might be that the reason was the health of the right hon. Gentleman in charge of the Bill. They had all regretted his absence, and were glad to see him back among them; but he did not see why the right hon. Gentleman's health should be a reason for applying the guillotine to the measure. There were the names of other right hon. Members on the back of the Bill. There was the Chancellor of of the Exchequer, for instance. He had taken a part in the discussion and he probably might be able to sit up with them for one or two nights while they threshed out a few little details. The way the Bill was going to be forced through the House was an example of how legislation should not be carried out. The measure was probably one of the worst drafted that had ever been before the House of Commons. When the Report stage was concluded the Bill would become nearly twice as long as it was when first introduced. He very much doubted whether it ever would be made a workable Bill. The right hon. Gentleman in charge of it had had to put down Amendment after Amendment in the effort to make it workable—a most extraordinary proceeding. He would suggest that for the benefit of the Bill the right hon. Gentleman should accept a few of the Amendments which he had put on the Paper. At any rate they would make the Bill much more workable. The measure as it stood imposed a penalty upon men who owned property. It had always been said that taxation should go with representation, but the policy of the Government in this Bill was to make it a crime for a man who owned property and paid taxes in two places, to vote in two places. The reason the Government had introduced the measure and were forcing it through the House by guillotine was solely political; it was an endeavour to disfranchise political opponents, Their policy was the policy of the right hon. Gentleman the President of the Board of Trade who had been going up and down tho country in the capacity of a private Member inveighing against the House of Lords. The Government were following the policy dictated by the President of the Board of Trade, namely, that of piling up the agony against the House of Lords, but he hoped the Upper Chamber would show no fear.

*MR. LEIF JONES (Westmorland, Appleby) appealed to the sense of humour of Members, more especially of those who sat upon the Front Benches on both sides, This was the second time this session they had listened to this debate. It was always the same when the guillotine was proposed: the Prime Minister invariably gave as his reason, apart from the state of the business, the precedent of former speeches of the Leader of the Opposition when he was in office; the Leader of the Opposition then followed and spoke against the Motion which when Prime Minister he had urged in exactly similar language to that used by his successor in office. The speeches were always the same for and against the Motions whichever Party was in power. This was true, but it was not very impressive, and seeing that they all knew how this debate was going to end surely they might be allowed to spend all the time in considering the Bill itself. He intended to vote against the Resolution, because he did not think it was the proper way to deal with legislation. He voted against closure by compartments on the Education Bill. This was not perhaps a very strong case; for 111 Amendments had been put down dealing with questions which had already been discussed in Committee. He thought that that matter required to be dealt with, but instead of taking steps to meet that difficulty the Government had adopted this clumsy method. Under the system of closure important matters would leave the House wholly undiscussed, and it was the duty of the Government to see that all measures were fully discussed and all important Amendments dealt with. The responsibility could not be thrown upon the Opposition. It was the duty of the Government of the day so to revise the rules of procedure that their measures might be properly dealt with by the House, and so long as they relied upon closure by compartments so long would he feel constrained to vote against them. The case of the closure of the Licensing Bill had been properly described by the Chancellor of the Exchequer as an outrage, for that Act would never have been passed without the closure, and he thought the present Bill could have been got through without resorting to this Resolution. He hoped this clumsy weapon would not be used another session, and in order to impress that matter upon the Government, he intended to go the full length of voting against the Motion, and he appealed to the Government not again to place him in that unpleasant position.

SIR E. CARSON (Dublin University) said the hon. Member who had just spoken had appealed to the sense of humour of the House, but he could hardly have done that unless his own sense of humour had also been appealed to. The chief reason he had put forward why this discussion should be closed was that they knew how it was going to end. The hon. Member's idea of how the Opposition should act seemed to be that they ought to consider how a debate was going to end, and the moment they made up their mind on that point they ought to stop all discussion. In that case the Members of the Opposition might as well all go home. No doubt that would be a convenient thing for the Government, and it might suit those who like the hon. Member opposite supported the Government upon all occasions except when they knew how the debate was going to end. Upon such occasions the hon. Member for the Appleby Division appeared as a valiant defender of the rights of the House. But even that show of strength the hon. Member opposite displayed with a good deal of misgiving, because he was afraid that the Opposition had not got a very strong case. He contended that they had a very strong case, and he would like the hon. Member opposite to recall any occasion upon which the Government of the day had ventured to closure by compartments two Bills in the same session. During the time he had been a Member of Parliament he did not recollect such a proceeding. In all cases up to the present it had always been laid down that the drastic measure of closure by compartments and the consequent stifling of debate was only justified in relation to the main measure of the session. Those who were laying down this new procedure should not forget that, although they were now in a majority, the time might come when they would be in a minority, and then they would find this weapon used against them in a manner which would make them regret the new precedent they were now creating. It was the very first time a Government had applied this drastic remedy for the second time in one session. He had never known a case before where the Government had thought it necessary on the Report stage to more than double the length of their Bill. The Government Amendments alone would take very nearly the whole time allotted to the Report stage. Seldom, if ever, had there been brought forward a measure which took the form this Bill would assume by the number of new clauses which had been put down on the Paper by the Government. No doubt he would be told that these Amendments had been put down to meet certain objections raised in Committee, but he could not believe that the Government had put them all down simply for the convenience of their opponents. They had been put down because the right hon. Gentleman in charge of the Bill knew perfectly well that without such Amendments the Bill would be not only absolutely unworkable but unfair. When the Bill was discussed in Committee it was treated as a measure merely to put an end to plural voting, but they had now discovered that it was a Bill to disfranchise all those who by good or bad luck happened to possess two qualifications. The right hon. Gentleman had been compelled under stress of criticism to put these Amendments down. The first clause to be proposed showed clearly that six or seven different matters had been purposely omitted from the Bill as originally introduced, and they were all points which would have disfranchised a man because he happened to be the owner of two qualifications. Under those circumstances what was the use of the hon. Member opposite telling the House that the Opposition had not a strong case? When these points were raised in Committee the Government promised to see what could be done on Report, and when the Opposition pressed the right hon. Gentleman to put down his Amendments during the Committee stage he told them to wait until the Report stage. And now when they had reached the Report stage they were told that ample opportunities had been given them during the Committee stage, and that was good enough for them. By the guillotine process, or by what was called the curtailment of debate, the Government were going to prevent them discussing those very matters which they had promised the Opposition would be dealt with upon the Report stage. In reference to private Members' Bills the Government deprived the House of the Committee stage, and in relation to their own Bills they were going to deprive the House of the Report stage. He and his friends resented this curtailment of their right of discussion of a Bill of this kind in all its stages and to the fullest extent. At the best it was an aggravating Bill. It was idle to tell them that the people of this country were going to sit down and allow themselves to be disfranchised without the fullest opportunity being given for the discussion of the Bill. If there was any course the Government could take which was more likely than another ir irritate the people it was to tell them at the same time that their purpose was to diminish even the small numbers which their opponents already had in this House though they represented a large body of electors in the country, and that they were determined to perform this task by making use of their commanding majority to stifle debate on a question which of all others should be fully discussed.

MR. DALZIEL (Kirkcaldy Burghs) said the debate had been a delightful contrast to the debates they had had in the last two or three sessions. The Opposition were now getting a dose of the medicine prepared from their own prescription. Where were the Unionist Members when in the last Parliament the then Opposition protested against closure by compartments? Where then were their cares about the freedom of debate? Everyone of them voted for the guillotine proposals introduced by the Leader of the Opposition. He and other Liberal Members had told hon. Gentlemen opposite that they were forging a weapon which would one day be used against them, but it had no influence whatever, and on every occasion they voted for the right hon. Gentleman's closure Motions irrespective of the merits of the proposal. [OPPOSITION cries of "No."] Therefore he had little sympathy with these belated appeals for freedom of debate. Personally, he had never favoured the principle of the guillotine. It was a bad principle. Some vital points in a great measure were bound to be shut out of discussion. But what were the alternatives? The Liberal Party had suggested that as the House was too congested to discuss in detail the great measures the country expected them to consider, local affairs should be delegated to local assemblies, and that the House of Commons should be kept for purely Imperial questions. There would then be no need for the guillotine. But the Opposition would not discuss that solution. The other alternatives were to sit up all night, or drop the Bill. The first proposal was not satisfactory, and he thought the Government must go on with the Bill. If they did not carry out the programme which they were returned to fulfil, the country would hold them responsible. He did not think the Government could do anything else than bring forward this proposal. The present Bill was not a complicated Bill, but he would have preferred a simpler measure of one or two lines at most. The Amendments raised no new subject; they were simply a rehash of what had been discussed in Committee. He thought the Government had been ill-advised in not giving time to put down Amendments to the Motion, but after all, the Leader of the Opposition used to do the same thing. He believed the great mass of the people were in favour of the principle of the Bill, and the House ought to support the Government in carrying it through.

MR. SAMUEL ROBERTS (Sheffield, Ecclesall) asked whether the Government could not give one more day to the Report stage. The Prime Minister in introducing the Motion stated that the principle of the Bill was simple, but that the machinery was difficult. It was because the machinery was so difficult that hon. Members had fought the Bill as they had done. Why could not the First Commissioner of Works have brought in a simple measure? He could have brought in a Bill stating that it would be illegal for an elector to vote twice. In his speech on the Second Reading the right hon. Gentleman himself said that he did not anticipate that plural voters would break the law by voting twice. If that was so, why have all the complicated machinery which the Bill proposed to set up? There were on the Order Paper eighteen pages of new clauses and Amendments, and he found that fifteen pages of Amendments circled round the question of "notice." The reason for that was that hon. Members were anxious to protect the rights of voters. Voters were careless, and they expected their votes to be looked after for them. The machinery of the Bill made it obligatory for the voter to look after himself, and if he did not do so he would run the chance of losing his vote altogether. The Leader of the Opposition had appealed to the Prime Minister to tell the House what the programme of the Government was for the rest of the session. It would be convenient if they knew what time was to be given for future Bills. He could say for the Opposition that they would not obstruct the Workmen's Compensation Bill. That measure was based largely on the Report of the Departmental Committee appointed by the last Government. It was not contentious, and he did not think that it ought to occupy more than three or four days. He hoped the Government would state some reason why one more day could not be given to the Plural Voting Bill. It was of importance that a Bill which they considered a disfranching Bill should be thoroughly discussed. They were only doing their duty to their constituents and to working men who were entitled to vote in more than one constituency when they asked that their rights should be safeguarded.

MR. FELL (Great Yarmouth) said that the Prime Minister had stated that the principle of the Bill was simple, but that the machinery was complicated and presented great difficulties. He agreed, and if anyone consulted election agents and returning officers, he would find that in their opinion the proper working of the Bill was impossible. What he complained of in the Resolution was that a great many of the Amendments which hon. Members had put down, including one by himself, would never be reached, discussed, or even divided upon. That was a great hardship to the Opposition [Cries of "Divide."]

MR. LAURENCE HARDY moved to amend the Resolution so as to give four allotted days to the Report stage instead of two. The Government did not seem to have been impressed by the arguments of their own supporters. It should be remembered that most of even the Government's Amendments came in at the end of Clause 1 of the Bill, and the time allotted did not give hon. Members an opportunity of seeing whether those Amendments really carried out the intentions of the House. He seriously appealed to the Government to give more time for the Report stage. He by his Amendment asked for two more days; but if that was too much to aspire to, the right hon. Gentleman might grant one day. He begged to move.

Amendment proposed—

"In line 1, to leave out the word 'two' and insert the word 'four.'"—(*Mr. Laurence Hardy.*)

Question proposed, "That the word 'two' stand part of the Question."

MR. WILLIAM REDMOND (Clare, E.) on a point of order, asked whether an hon. Member could make a speech on the principle of a Resolution and then make another speech on the principle on an Amendment.

*MR. SPEAKER said that practice was in order and had been followed in all cases of debate on the procedure of the House.

MR. ASQUITH said he was sorry that the Government could not respond to the appeal which the hon. Gentleman had made with moderation. They had considered most carefully all the Amendments and were quite satisfied that if any Amendments which had been already discussed at length in Committee were not pressed there would be ample time to discuss all the new clauses and Amendments on the Report stage. It was very disagreeable for any Government or Minister to bring forward Resolutions of this kind.

MR. AUSTEN CHAMBERLAIN (Worcestershire, E.) thought the right hon. Gentleman was suggesting a rather novel form of procedure when he said that the Government in deciding how much time should be accorded for discussion of Amendments on the Report stage considered that certain Amendments had been fully discussed in Committee, and that if they were not pressed there would be ample time for the discussion of the other Amendments. Large questions of principle were properly brought under review at the Report stage no matter whether or not they had been fully discussed in Committee. The discussion of these matters had not been unduly prolonged having regard to the large number of electors who were going to be disfranchised and the complicated nature of the machinery of the Bill.

*SIR CHARLES DILKE (Gloucestershire, Forest of Dean) said that in previous discussions he had found some fault with the machinery of the Bill and had offered some suggestions making it automatic in a large number of cases, leaving the system ingeniously invented by his right hon. friend to work only in a small number of cases. The reason why he did not press his plan was that he recognised it would involve the reconstruction of the Bill. He did not like the enormous length of the Amendments of his right hon. friend dealing with the principle on which the Bill was to be worked, but he thought that they were an absolute redemption of the promises made by the right hon. Gentleman to hon. Members on both sides of the House. There was an alternative plan of dealing with the Amendments which he confessed the Government would have done well to follow, although for some time past that system had dropped out of use. It was that when such a Bill was passed through Committee the Government should immediately ask leave to have it recommitted *pro forma* in order to incorporate all their Amendments in the Bill and have the Bill printed with them inserted. In that way the House was able to see more easily than now whether the promises the Government had made in regard to Amendments had been carried out. He could not oppose the course the Government had taken merely because the principle of his suggestion had not been frankly accepted. He repeated that he regretted that he Government did not take the simple course of passing the Bill through Committee *pro forma* and incorporating their Amendments, but he did not in consequence oppose the policy which they had adopted, because he was sure that their Amendments redeemed the promises they had made. The net effect of the Bill would be that while, on the one hand, it was most ingeniously framed for carrying out the scheme of the right hon. Gentlemen, on the other hand, its enforcement would take place chiefly in the case of those electors who yielded to the law, because it would be very difficult to enforce in the case of those who resisted it. His objection to the Bill was that it would be even more costly to work effectively than it was before the Amendments were introduced. The extreme complications caused by even the very excellencies of the scheme were their real objections to the Bill. But he could not expect support for his own views, because they were more hostile to the opinions of hon. Gentlemen opposite than the provisions of the Bill. Therefore he and his friends could not do more than accept the Bill and the Amendments of the Government in the belief that they had fully redeemed by them the proposals they had made.

Question put.

The House divided:—Ayes, 316; Noes, 88. (Division List No. 434.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Alden, Percy
Allen, Charles P. (Stroud)
Ambrose, Robert
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hon. Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beauchamp, E.
Beaumont, Hn. W. C. B. (Hexh'm
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r H'ml's, S. George
Berridge. T. H. D.
Bertram, Julius
Bethell, Sir J. H. (Essex Romford
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire)
Boland, John
Boulton, A. C. F. (Ramsey)
Brace, William
Bramsdon, T. A.
Branch, James
Brocklehurst, W. B.
Brodie, H. C.
Brunner, J. L. F. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Chesh.
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Carr-Gomm, H. W.
Causton, Rt Hn. Richard Knight
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Clough, William
Clynes, J. R.
Coats, Sir T. Glen (Renfew, W.
Cobbold, Felix Thornley
Cogan, Denis J.
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Condon, Thomas Joseph
Corbett, C H (Sussex, E. Grinst'd)
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Crombie, John William
Crooks, William
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Duffy, William J.
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Gurdon, Sir W. Brampton
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J. Keir (Merthyr Tydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Harwood George
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Haydon, John Patrick
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hogan, Michael
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Sir D. Brynmor (Swansea
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)

Layland-Barratt, Francis
Lea, Hugh Cecil (St. Pancras, E.
Lehmann, R. C.
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J. M. (Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.)
MacVeigh, Chas. (Donegal, E.
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marnham, F. J.
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morley, Rt. Hon. John
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murnaghan, George
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts., Bassetlaw
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Phillip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Grady, J.
O'Kelly, Conor (Mayo, N.)
O'Kelly, James (Roscommon, N
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W. H. M. (Suffolk, Eye
Philipps, Col. Ivor (S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Price, Robert John (Norfolk, E.)
Priestley, W. E. B. (Bradford, E.
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Richards, T. F. (Wolverh'mptn
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee
Robertson, Sir G. Scott (Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford
Samuel, Herbert L. (Cleveland
Schwann, Sir C. E. (Manchester
Scott, A. H. (Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thompson, J. W. H. (Somerset, E
Thorne, William
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Wadsworth, J.
Walker, H. De R. (Leicester)
Wallace, Robert
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitbread, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Williams, J. (Glamorgan)
Williamson, A.
Wilson, Hn. C. H. W. (Hull, W.
Wilson, J. H. (Middlesbrough
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr Whiteley and Mr. J. A Pease.

NOES.

Anson, Sir William Reynell
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn Sir H.
Balcarres, Lord
Baldwin, Alfred
Balfour, Rt. Hn. A. J. (City Lond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester
Barrie, H. T. (Londonderry, N.
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Butcher, Samuel Henry
Carson, Rt. Hn. Sir Edward H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt Hn J. A. (Worc.
Cochrane, Hon. Thos. H. A. E.
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craik, Sir Henry
Dixon, Sir Daniel
Dixon-Hartland, Sir Fred Dixon
Douglas, Rt. Hn. A. Akers-
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Gardner, Ernest (Berks, East)
Hamilton, Marquess of
Hardy, Laurence (Kent, A
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hervey, F. W. F. (B'ry S. Edm'ds
Hill, Sir Clement (Shrewsbury
Hills, J. W.
Houston, Robert Paterson
Kennaway, Rt. Hn. Sir John H.
Kenyon-Slaney, Rt. Hon. Col. W
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.

Lee, Arthur H. (Hants, Fareham
Long, Rt. Hn. Walter (Dublin, S
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Moore, William
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Pease, J. A. (Saffron Walden)
Percy, Earl
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Rawlinson, John Frederick Peel
Roberts, S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rothschild, Hon. Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.
Sloan, Thomas Henry
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool, Walton
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ
Thomson, W. Mitchell-(Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Warde, Col. C. E. (Kent, Mid)
Wilson, A. Stanley (York, E.R.)
Wolff, Gustav Wilhelm
Wortley, Rt. Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Mr. Forster.

SIR FREDERICK BANBURY moved to omit the words "or if that day is a Friday, at 5 p.m." His reason for moving the Amendment was that in regard to such an important Bill they should have a full Parliamentary day of seven hours in which to consider the Third Reading, especially in view of the fact that the Report stage would have been curtailed to such short dimensions. Not only was it desirable to have a full Parliamentary day, but Friday was a very inconvenient day, as they knew, and especially in the case of autumn sittings, hon. Members found it convenient to leave the House at two or three o'clock.

Amendment proposed—

"In line 24, to leave out the words, 'or if that day is a Friday, at 5 p.m.'"—(*Sir Frederick Banbury.*)

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. ASQUITH said he accepted the Amendment. He quite agreed that Friday would be an inconvenient day upon which to take the Third Reading of so important a measure.

Question put, and negatived.

Words omitted.

Main Question put.

The House divided:—Ayes, 320; Noes, 87. (Division List No. 435.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Alden, Percy
Allen, Charles P. (Stroud)
Ambrose, Robert
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beauchamp, E.
Beaumont, Hn W. C. B. (Hexham
Bellairs, Carlyon
Benn, Sir J. Williams (Dev'np'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Berridge, T. H. D.
Bertram, Julius
Bethell, Sir J. H. (Essex, R'mf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire
Boland, John
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Brocklehurst, W. B.
Brodie, H. C.
Brunner, J. F. L. (Lancs., Leigh
Brunner, Rt. Hn. Sir J. T. (Ches.)
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Buxton, Rt. Hn. Sydney Charles
Byles, William Pollard
Cairns, Thomas
Carr-Gomm, H. W.
Causton, Rt Hn. Richard Knight
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Clough, William
Clynes, J. R.
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Condon, Thomas Joseph
Corbett, C. H (Sussex, E. Grinst'd
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Crombie, John William
Crooks, William
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)

Dickinson, W.H.(St.Pancras,N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Duffy, William J.
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gladstone, RtHnHerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gurdon, Sir W. Brampton
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie,J.Keir(MerthyrTydvil
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r
Hart-Davies, T.
Harwood, George
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hogan, Michael
Holden, E. Hopkinson
Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, SirD.Brynmor(Swansea)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Francis
Lea, HughCecil(St.Pancras, E.
Lehmann, R. C.
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Lyell, Charles Henry
Macdonald, J.M. (Falkirk Bg'hs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Crae, George
M'Hugh, Patrick A.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G.Croydon(Launceston)
Marnham, F. J.
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morley, Rt. Hon. John
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Grady, J.
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M.(Suffolk, Eye)
Philipps, Col.Ivor(S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Price, Robert John (Norfolk, E.)
Priestley, W.E.B. (Bradford,E.
Radford, G. H.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, T. F. (Wolverh'mpt'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Schwann, Sir C.E. (Manchester)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seely, Major J. B.
Shaw, Rt.Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn.A.Lyulph (Chesh.)
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.
Thomasson, Franklin
Thompson, J.W.H.(Somerset,E.
Thorne, William
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Wadsworth, J.
Walker, H. De R. (Leicester)
Wallace, Robert
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke-upon-Trent)

Ward, W. Dudley (Southampt'n
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
Whitehead, Rowland
Whitley, J. H. (Hailfax)
Whittaker, Sir Thomas Palmer
Williams, J, (Glamorgan)
Williamson, A.
Wilson, Hon. C. H. W. (Hull, W.)
Wilson, J. H. (Middlesbrough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Young, Samuel
Yoxall, James Henry

Tellers for the Ayes—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Anson, Sir William Reynell
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn. Sir H.
Balcarres, Lord
Baldwin, Alfred
Balfour, RtHnA.J.(CityLond.)
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester
Barrie, H. T. (Londonderry, N.
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Butcher, Samuel Henry
Carson, Rt. Hn. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Cecil, Lord R. (Marylebone, E.)
Chamberlain, Rt. HnJ. A. (Worc.
Cochrane, Hon. Thos. A. E.
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Charles Curtis (Antrim, S.)
Craik, Sir Henry
Dixon, Sir Daniel
Dixon-Hartland, Sir Fred Dixon
Douglas, Rt. Hon. A. Akers-
Duncan, Robert (Lanark, Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Gardner, Ernest (Berks, East)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hervey, F. W. F. (Bury S. Edm'd)
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Houston, Robert Paterson
Jones, Leif (Appleby)
Kennaway, Rt. Hn. Sir John H.
Kenyon-Slaney, Rt. Hon. Col. W
Keswick, William
Lambton, Hon. Frederick Wm.
Lee, Arthur H. (Hants, Fareham
Long, Rt. Hn. Walter (Dublin, S.
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Moore, William
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Pease, Herbert Pike (Darlington
Percy, Earl
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Rawlinson, John Frederick Peel
Roberts, S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rothschild, Hon. Lionel Walter
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Ox'fd Univ.
Thomson, W. Mitchell-(Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Warde, Col. C. E. (Kent, Mid)
Wilson, A. Stanley (York, E. R.)
Wolff, Gustav Wilhelm
Wortley, Rt. Hn. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

Tellers for the Noes—Sir Alexander Acland-Hood and Mr. Forster.

Resolved:—"That two allotted days be given to the Report stage of the Plural Voting Bill, and that the proceedings on new clauses, if not previously brought to a conclusion, be brought to a conclusion on the first allotted day, and that the remaining proceedings on the Bill and the Schedule and any other matter necessary to bring the Report stage to a conclusion, if not previously brought to a conclusion, be brought to a conclusion on the second allotted day. Any day after this Order comes into operation on which the Plural Voting Bill is put down as the first Order of the day, shall be considered as an allotted day for the purposes of this Order. At 10.30 p.m. on an allotted day, the Speaker shall, if the proceedings which are to be brought to a conclusion on that day have not already been brought to a conclusion, put forthwith the Question or Questions on any new clause Amendment, or Motion already proposed from the Chair, and shall next, so far as is necessary to dispose of the business to be concluded on that day, proceed successively to put forthwith the Question on any new clauses or Amendments moved by the Government of which notice has been given (but no other clauses or Amendments), and on any other question necessary to dispose of the business to be concluded, and in the case of Government Amendments or of Government new clauses, he shall put only the Question that the Amendment be made or that the clause be added to the Bill, as the case may be. At 11 p.m. on the day on which the Third Reading of the Bill is put down as the first Order of the day, the Speaker shall put forthwith any question necessary to conclude the proceedings on that stage of the

Bill. Proceedings to which this Order relates shall not, on an allotted day, be interrupted under the provisions of any Standing Order relating to the sittings of the House. On an allotted day and on the day on which the Third Reading of the Bill is put down as the first Order of the day, no dilatory Motion on the Bill, nor Motion for recommitment of the Bill, nor Motion for Adjournment under Standing Order No. 10 shall be received unless moved by a Minister of the Crown, and the Question on any such Motion shall be put forthwith without debate."

PLURAL VOTING BILL.

As amended, considered.

THE FIRST COMMISSIONER OF WORKS (Mr. HARCOURT, Lancashire, Rossendale) moved a new clause to deal with cases in which electors may apply to a court for leave to select a constituency. He said that he might be making a tactical mistake in speaking immediately on his own clause, thereby sacrificing his right to reply to criticisms. But the House, no doubt, would wish him to explain as far as it was necessary the meaning of the clause, though he thought that it was evident on the face of it. One principal point to be dealt with was suggested by the right hon. Member for Dublin University, who desired that a man absent from this country or prevented by illness from making his selection at the proper time, should be enabled to put that right at a subsequent date by application to the High Court. He thought that reasonable, but put in a *caveat* against the High Court being the only or even the main place at which such an application should be made. Accordingly, he put in the High Court, but, as in the case of a Latin or German sentence, one must look for the governing verb at the end, so at the end of the clause he had put in a comprehensive definition of "court." The next sub-sections, he hoped, were fairly intelligible, except perhaps sub-sections (f) and (g) which were designed to meet the peculiar case of the elector who had a qualification in Scotland, and in this connection it was essential that the words "without unreasonable delay" should be inserted, because there had never been any intention on his part to encourage people to make a late selection out of time without a reasonable and strong case for doing so. That was his interpretation of the whole clause as it stood. With reference to what had been said about the Amendments on the Paper, he had watched for a good many years the proceedings and methods of those sitting on the Opposition side in opposing a measure of this kind. He had observed that when a well-informed and well-coached Opposition had been able to exact concessions designed entirely to meet their views they used those very concessions as a stick with which to beat the Minister in charge of the Bill and his colleagues. That was the usual form of gratitude shown by an Opposition, and he did not complain of it on this occasion. There had been a suggestion made that the time allotted for the consideration of this stage of the Bill had been affected by questions relating to his own health. The House would allow him to say that that had not influenced the Government in any way. He was quite sure that if the House devoted themselves to a businesslike discussion of the proposals which were brought forward largely to meet the views of hon. Gentlemen opposite, he might look forward to a very pleasant evening.

New clause—

"(1) Where a court, within the meaning of this section, is satisfied on the application of any person made in accordance with rules of court—(a) that he has been prevented by illness or absence beyond the seas from giving a notice of selection on or before the day required by this Act; or (b) that, since the day on or before which a notice of selection is required to be given under this Act, he has become aware that he is registered in more than one constituency; or (c) that he has given a notice of selection in a constituency in which his name is not upon the lists of voters, or in which his name has been struck off the lists of voters on revision or on appeal; or (d) that he has given a notice of selection in manner required by this Act, and that his name has not been marked on the register in accordance with that selection; or (e) that he has given a notice of selection, but that through inadvertence or ignorance he has given the notice in respect of the wrong constituency or to the wrong clerk; or (f) that having been registered in one constituency only at the commencement of the calender year, he is about to be registered or has become registered before the end of the calendar year in more than one constituency owning to the inclusion of his name in a Scottish Parliamentary register which comes into force on the first of November in that year; or (g) that having selected a constituency in Scotland he has ceased or will cease before the end of the calendar year to be on the register of the selected constituency; and that there has been no unreasonable delay in making the application, the court may by order allow the applicant to select for the purpose of this Act the constituency specified in the order. (2) The clerk of the county council or town clerk responsible for printing the Parliamenary register of the selected constituency shall act in accordance with any such order of the court as if the order were a notice of selection given within the time required by this Act, and if the register has come into force shall transmit a copy of the order to the sheriff or returning officer having the custody of the register, and the sheriff or returning officer shall make the necessary mark on the register. (3) For the purpose of this section "court" means the High Court or a court of summary jurisdiction or county court having jurisdiction in the constituency which the applicant under this section desires to select."—(*Mr. Harcourt.*)

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

SIR FREDERICK BANBURY said that, as far as he could make out, there appeared to be one vital mission from the clause, and that was the case where the elector made no selection at all. There were many thousands of electors who would never read the Act and they would still be disfranchised. He did not say that the right hon. Gentleman had not fulfilled all his promises, but he thought some provision ought to be made for the elector who was suddenly warned that he had not made a selection and who had omitted to do so in ignorance of the law.

Question put, and agreed to.

Clause read the second time.

*MR. LUKE WHITE (Yorkshire, E.R., Buckrose) moved to leave out the opening lines of the clause, and to insert words allowing an elector to make a statutory declaration instead of having to go to a court. As one who had had considerable experience of registration work in counties he thought 5th September a very early date on which to ask the elector to make a selection on the register for the following year. He had no doubt a great many cases would arise in which a voter would find he was registered in more than one constituency. In the case of a man finding himself registered in two constituencies it might happen that in one of them he had no qualification, but had been left on by the overseers and put on for a residence which he occupied in the new constituency. In such a case it ought to be sufficient for the voter to state the fact in the statutory declaration. The Amendment would make the matter much more simple, and he appealed to the right hon. Gentleman to accept his proposal in order to make this question of selection simple and easy.

LORD ROBERT CECIL (Marylebone, E.) formally seconded.

Amendment proposed to the clause—

"To leave out lines 1 and 2, and insert the words, 'Whenever an elector shall have made and transmitted to the clerk of the county council or town clerk responsible for printing the Parliamentary register of the selected constituency a statutory declaration made by him, stating.'"—(*Mr. Luke White.*)

Question proposed, "That the words 'where a court' stand part of the clause."

MR. HARCOURT regretted he could not accept the Amendment. He attached considerable importance to the voter having to go, except in the case of a final emergency on polling day, before a court—the court being now a bench of magistrates or a police court because they, if they had reason for doubt, could satisfy themselves of the *bona fides* of the application and that there had been no unreasonable delay. If power of selection was given, after the given date, it was important that it should be given in that way. The expense was small, the cost of a statutory declaration was about 1s. 6d., and the cost of an order from a bench of magistrates would only be about 2s. 6d.

MR. WALTER LONG (Dublin, S.) said he was sorry the right hon. Gentleman had not seen his way to accept this Amendment. He thought that the right hon. Gentleman did not quite realise what was meant by expense to the electors. It was not merely the cost of getting a statutory declaration or an order of court. The right hon. Gentleman must remember there was often entailed in attending a court considerable expense in the shape of loss of time, and in the case of rural or county voters the grievance would be very real. He hoped the right hon. Gentleman would reconsider this matter, because he was for the first time putting electors in a difficult position. The Amendment only suggested that if a voter found himself in a particular position he should be provided with a means of getting out of his difficulty.

MR. WALLACE (Perth) expressed his conviction that the House would never consent to make the county council clerk or the town clerk a judicial officer and to leave them to determine whether or not there had been unreasonable delay, which was apparently what the right hon. Gentleman desired. The determining authority must be a judicial authority. If the words "unreasonable delay" were left out altogether and the voter allowed to make a declaration when he pleased, the question of a judicial authority would not arise, but in that case there would be another difficulty, because the elector then would leave it to the last day before he sent in his declaration. He thought under all the circumstances the House would be unwilling to accept the Amendment.

SIR E. CARSON said the hon. and learned Member who had just spoken seemed to assume that this Amendment was an attempt to enable an elector to obtain a vote; on the contrary, it was an attempt to prevent his being disfranchised. If a man, admittedly, had two qualifications, either of which entitled him to vote, surely it was not going too far to say that if under this Bill he sent in a declaration the declaration ought to be sufficient to give him, not a vote, but a selection as to the constituency in which he was to vote. Every hon. Member would agree if a man was only to vote in one constituency he should be allowed to vote in the one he selected. This Amendment went a little further and said that before an election the voter might by statutory declaration state in what constituency he wished to vote. The circumstances under which this question would arise were circumstances for which the voter was not to blame, and it was to secure the voter against those circumstances that the Amendment was moved. Surely if no blame attached to the voter under the five or six circumstances mentioned by the right hon. Gentleman, they ought to make it as easy as possible for a gentleman who had the misfortune to be doubly qualified to record his vote once. The right hon. Gentleman had said the expenses would be trivial. He (Sir Edward) did not see why any expense at all should be put upon a man who had two qualifications and who wanted to exercise one of them. It was quite sufficient to take away one of the qualifications without putting any expense on the elector. Besides that, the expense might not be so trivial. In his own case he had had up to the present a vote in England and a vote in Ireland. If he was going to be deprived of one of them, would it not be unreasonable, if through illness or some other reason he had not selected that he should have to go over to the county of Dublin to appear before a bench of magistrates or some other court? And this was to cost him only 1s. 6d.! The thing was too absurd. Surely a statutory declaration of the constituency in which a man intended to vote, in a case like that, should be sufficient. If the plural vote was abolished, it ought to be abolished in the most reasonable way. The truth was the Bill was framed in such a way as to throw every obstacle in the way of the man who had two qualifications and to upset the entire basis on which the franchise laws of this country had been framed. Up to the present, it had always been considered that the list once settled by the revising barrister would be final. He thought the Bill ought to be so framed that all this should take place before the revising barrister. In future when the lists were settled and signed by the revising barrister, they were to be tampered with by the town clerk, and after he had finished with them a great expense was to be put on the voter in making an application to the

High Court or the county court, and evidence had to be produced before the town clerk that all these formalities had been complied with. A more cumbrous procedure to take a vote from a man it was impossible to conceive. The Amendment was an absolutely fair proposal. All it said was that when a man had been precluded through circumstances over which he had no control from making a selection that selection might be made by a statutory declaration. Could anything be more unreasonable than to put expense on the voter in such a case? He hoped no difficulty would be put in the way of a man making a selection even up to a late hour.

MR. HARCOURT said the right hon. Gentleman had complained that he had not gone far enough in his Amendment, but the Amendment went far beyond the right hon. Gentleman's own suggestion. The only point in the right hon. Gentleman's argument would be met by the statement which he (Mr. Harcourt) ought to have made in his previous remarks, that he intended to accept the Amendment of the hon. Member for the Ealing Division of Middlesex, whom he was glad to see back in his place.

*MR. COURTHOPE (Sussex, Rye) said the hon. and learned Member for Perth and others on the Ministerial side of the House who had spoken against this Amendment seemed to think it was an easy matter to go before the courts of summary jurisdiction in this country. He should like to remind hon. Gentlemen opposite that the courts of summary jurisdiction in the rural districts very often sat only once a month. He had no doubt that they would, under the present proposals of the Bill, shortly have more experience of these courts than they possessed at present. A court with which he was personally connected sat in a rural district only once a month. There is very little crime in the neighbourhood, and very often they got the business done in three quarters of an hour. Unless a voter could attend during the three-quarters of an hour once a month he would have to go to town in order to make his selection, which, through no fault of his own, he had been prevented from making at the proper time. He hoped right hon. and hon. Gentlemen opposite would consider the great difficulty there would be in the rural districts when making these claims before the courts. It might often occur that the selection had not been made, or that the discovery that a voter had more than one qualification was only made after the last opportunity of attending the petty sessional court had passed. Had the elector in order to secure his right to vote to journey to town and make his claim before the High Court? The right hon. Gentleman had accused them of ingratitude. He would like respectfully to remind the right hon. Gentleman that they were not finding fault with the fact that he had or had not made the concessions he promised, but with the fact that he had refused a very good Amendment coming from his own side of the House. He did not think the question of gratitude or ingratitude for promised concessions came into the matter at all. He hoped the right hon. Gentleman would take into consideration the difficulty which would arise owing to the very rare intervals in which petty sessional courts sat in the rural districts and that he would add some words to meet the difficulty, which was a very real one.

MR. RUFUS ISAACS (Reading) said that unless it was desired to destroy the object of the Bill it was impossible to accept this Amendment. It would involve the exercise of the judicial faculty on the question whether or not there had been unreasonable delay, and the person who was to exercise this judicial discretion, according to the Amendment, would be the person who had been guilty of delay. As he understood the Amendment, all that was required was that a declaration should be made in order that the person concerned might be treated in the same manner as if the notice of selection had been given within the time required by the Act. The proposal was not that the clerk of the county council or the town clerk should have any right to decide as to whether there had been any unreasonable delay. All that the person had to do was to make a statutory declaration that in his opinion he had not been guilty of unreasonable delay, and the moment he had made that declaration he was to be relieved from the consequences which otherwise would result from not having made the selection in time. Every person who had been guilty of delay would find some reason for making this statutory declaration, and there would be an end of the whole matter. They might have a printed form in which the voter would simply have to make a statutory declaration that he had not been guilty of unreasonable delay, and the effect of that would be to make the whole process of selection a nullity.

Mr. WYNDHAM said the hon. and learned Member had made an ingenious contribution to the debate. He had left the House under the impression that the subject matter of the statutory declaration was whether there had been reasonable or unreasonable delay. But everyone of these statutory declarations, besides containing a statement that there had been no unreasonable delay, would state that the voter had failed to make his selection because of a reason outside of and beyond his own control. The number of cases in which there could be unreasonable delay must be very small, so small that he could not see how the right hon. Gentleman in charge of the Bill attached importance to the adding of these words. They were really not very important words. He did not think that unnecessary obstacles should be put in the path of those who wished to use their votes in selected constituencies.

*Mr. CLAVELL SALTER (Hampshire, Basingstoke) said he took it that this Amendment must be considered in connection with another Amendment which the hon. Member for the Buckrose Division intended to move later. Reading the two Amendments together, it was clear that the hon. Member did not contemplate leaving discretion to any person. He thought the procedure suggested by the Amendment would save the voter journeys, expense for professional assistance, worry, and loss of time, and it certainly would be as effective as what was proposed in the new clause. The application to the court would be something in the nature of a form. The court would accept the statutory declaration of the voter in every case. If the voter made a false declaration he would do so with all the penalties of perjury before his eyes. He could not understand why the Government were unable to accept the Amendment.

*Mr. NIELD (Middlesex, Ealing) said that not only in the courts of summary jurisdiction but especially in the county courts there was already great congestion. The county courts were constantly having additional work put upon them, and Judges were constantly protesting that they were unable to get through the work. It had been argued that these applications would only be made at certain times of the year, and that it would be easy to hold special courts for dealing with them. If the right hon. Gentleman in charge of the Bill would consult the County Court Judges, he would find that it was impossible for them to grant additional facilities. It was a fact that already the courts were held as frequently as it was possible, and there was no prospect of the Judges being able so to rearrange their circuits as to give additional courts at the time when the burden of the work under this Act would fall upon them. Besides, September and the early part of October were regarded as the vacation period, as was the case with the High Court. Many of these tribunals were only able to be held in the same place at intervals of a month, and in some places six weeks, while courts of petty sessions were, as had been stated, only held in parts of the country once a month. He submitted that this difficult and complicated work should not be put on courts which were already sufficiently occupied. He hoped the right hon. Gentleman would see his way to accept this reasonable Amendment. By doing so he would act in the interest of those whom he desired to see exercising the vote once.

Mr. BOWLES (Lambeth, Norwood) said that the speeches of right hon. and hon. Gentlemen opposite on this Bill had long ago accustomed those on the Opposition benches to the idea that they regarded the plural voter as a person altogether out of the ordinary—as a man, in some respects a public enemy, who was to be hedged round in the exercise of his vote by provisions which did not apply to any other voter in the community. But recently they had been informed by right hon. and hon. Gentleman opposite that, not only was the plural voter a public enemy, but a kind of a man who would make a false statutory declaration, and from whom perjury was to be seriously anticipated. He really thought that Ministerialists had not altogether appreciated the effect of this Amendment. This was not the case of any man asking for more than one vote or for anything to which he was not entitled; but he was asking that if, through no fault of his own, he, an innocent man, appeared on more than one register he should not be entirely deprived of all voting power at an election. He maintained that a man in that position was entitled to serious and sympathetic consideration; and instead of the Government making it as difficult as possible for a man to exercise his right to vote it should be made as easy and cheap as possible. What was asked was that a man who found himself in serious danger of being unable to exercise his electoral right by inadvertence or error should be allowed, instead of going to a court at considerable expense, to correct the mistake or inadvertence by making a statutory declaration. A false statutory declaration carried with it all the penalties of perjury. If the right hon. Gentleman would not accept this Amendment it would be very difficult for the Opposition and the country to resist the conclusion that the Bill had been dictated not from the view of general public advantage, but for the disfranchisement of those men who had the great misfortune to possess at the present moment a double or triple electoral qualification. He thought the Amendment was reasonable.

Question put.

The House divided:—Ayes, 295: Noes, 60. (Division List No. 436.)

AYES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Adkins, W. Ryland D.
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Asquith, Rt. Hn. Herbert Henry
Baker, Sir John (Portsmouth)
Baker, Joseph E. (Finsbury, A.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. W. C. B. (Hexham
Beck, A. Cecil
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Berridge, T. H. D.
Bertram, Julius
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W. (Bedfordshire)
Boland, John
Bolton, T. D. (Derbyshire, N.E.
Boulton, A. C. F. (Ramsey)
Bowerman, C. W.
Brace, William
Bramsdon, T. A.
Branch, James
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Chesh.)
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Clynes, J. R.
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley
Cogan, Denis J.
Collins, Stephen (Lambeth)
Collins, Sir Wm. J. (S. Pancras, W
Condon, Thomas Joseph
Corbett, C. H. (Sussex, E. Grinst'd
Cory, Clifford John
Cotton, Sir H. J. S.
Cox, Harold
Crean, Eugene
Crombie, John William
Crooks, William
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N.
Dillon, John
Donelan, Captain A.
Duffy, William J.
Dunn, A. Edward (Camborne)
Edwards, Enoch (Hanley)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Faber, G. H. (Boston)
Fenwick, Charles
Ferens, T. R.
Flynn, James Christopher
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Hart-Davies, T.
Halsam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Hope, W. Bateman (Somerset, N.

Horniman, Emslie John
Horridge, Thomas Gardner
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, Sir Joseph F.(Accrington
Lehmann, R. C.
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M. (Falkirk Bg'hs
Mackarness, Frederic C.
Maclean, Donald
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G.Croydon(Launceston)
Marnham, F. J.
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James
Myer, Horatio
Napier, T. B.
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M.(Suffolk, Eye)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Price, Robert John (Norfolk,E.)
Priestley, W.E.B. (Bradford,E.
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, T. F. (Wolverh'mpt'n
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Robertson, Rt. Hn. E. (Dundee
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rowlands, J,
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E. (Manchester)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seely, Major J. B.
Shaw, Rt.Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn.A.Lyulph (Chesh.)
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.
Thompson,J.W.H.(Somerset,E.
Thorne, William
Torrance, Sir A. M.
Toulmin, George
Ure, Alexander
Wadsworth, J.
Walker, H. De R. (Leicester)
Wallace, Robert
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, W.Dudley(Southampt'n
Wardle, George J.
Wason, John Cathcart(Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, J. D. (Dumbartonshire)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Wills, Arthur Walters
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Acland-Hood,Rt.Hn.SirAlex.A.
Anson, Sir William Reynell
Arkwright, John Stanhope
Balcarres, Lord
Banbury, Sir Frederick George
Banner, John S. Harmood-
Barrie, H. T. (Londonderry, N.
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Butcher, Samuel Henry
Cave, George
Cecil, Evelyn (Aston Manor)
Chamberlain,Rt,Hn.J.A.(Worc.
Coates,E. Feetham (Lewisham)
Cochrane, Hon. Thos. H. A. E.
Corbett, A. Cameron (Glasgow)
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craik, Sir Henry
Dixon, Sir Daniel
Douglas, Rt. Hon. A. Akers-
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest (Berks, East)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Houston, Robert Paterson
Kennaway, Rt. Hn. Sir John H.
Keswick, William
Law, Andrew Bonar (Dulwich)
Lonsdale, John Brownlee
Lowe, Sir Francis William

Moore, William
Nield, Herbert
Pease, Herbert Pike (Darlington)
Percy, Earl
Powell, Sir Francis Sharp
Rawlinson, John Frederick Peel
Ropner, Colonel Sir Robert
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Smith, F. E. (Liverpool, Walton
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W. Mitchell-(Lanark
Thornton, Percy M.
Tuke, Sir John Batty
Warde, Col. C. E. (Kent, Mid)
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE NOES—Mr. Luke White and Mr. Samuel Roberts

*MR. NIELD moved an Amendment providing that the application to the court should be made under rules "to be hereafter made in accordance with the existing practice and in the same manner as the rules and orders at present in force in such court and regulating the procedure thereof, and duly confirmed and allowed as provided by the statutes relating thereto." The hon. Member said the High Court was familiar, particularly in regard to electoral law, with questions of this kind, because hitherto it had been the only tribunal to deal with registration franchise and electoral questions, and the judges had laid down well-defined rules which governed applications to the court and it was the almost invariable practice, when relief was sought, to require that notice should be given in a more or less public manner. The moment, however, they left the High Court there had been no such rules framed, because there had been no such jurisdiction to exercise. The petty sessional courts had only power to deal with offences, and there was no machinery in the courts of summary jurisdiction or in the county courts whereby it was possible that those tribunals should make rules under the new clause without such an Amendment as he now proposed. It was true that the magistrates sitting in petty sessions were entitled to make certain rules under the Summary Jurisdiction Act, but only with the consent of the Secretary of State. He was sure that the right hon. Gentleman would be the last person to say that the magistrates sitting under the Summary Jurisdiction Act all over the country should have power to make rules which would differ in each part of the kingdom, but would agree that the rules should come up before one authority and be made uniform in all cases. It would not be desirable to have one bench making one set of rules and another bench making another. In the county court a committee of the judges sitting under the County Courts Act might make their rules and they were then approved by Lord Chancellor. But what he wanted was that there should be uniform rules made in accordance with the Amendment which he now moved.

Amendment proposed to the clause—

"In line 2, after the word 'Court,' to insert the words 'to be hereafter made in accordance with the existing practice and in the same manner as the rules and orders at present in force in such court and regulating the procedure thereof, and duly confirmed and allowed as provided by the statutes relating thereto.'"—(*Mr. Nield.*)

Question proposed, "That those words be there inserted in the clause."

MR. HARCOURT assured the hon. Member that his Amendment was unnecessary, because the Bill as it stood carried out his object. There was no desire at all to give the power to make these rules to magistrates, and it was provided by Clause 4 of Section 14 of the Interpretation Act that where rules of the court were specified they should be the rules of the authorities for the time being authorised to make those rules. Under the Summary Jurisdiction Act of 1879 the rules in regard to courts of summary jurisdiction were made by the Lord Chancellor. The hon. Member had quite correctly stated the way in which rules were made in county courts, and in the High Court the Lord Chancellor made them. His words in the new clause were quite sufficient to carry out the hon. Gentleman's intention.

Amendment, by leave, withdrawn.

*MR. CAVE (Surrey, Kingston) moved an Amendment providing that if a voter through inadvertence or some other reasonable cause besides illness or absence beyond the seas omitted to give notice of selection within the proper time he should be able to obtain relief from the court. He thought that his Amendment raised a matter of substance.

It was indeed the very point which was raised by the hon. Gentleman the Member for the City of London on the Second Reading of the clause. The clause provided for a number of possibilities, but he thought that his Amendment was necessary in order to make it complete. If the Bill had proceeded upon the simple plan that a man should not vote in more than one place in the same year the whole of this elaborate machinery would have been unnecessary, but if, as the Government proposed, a selection of the place of voting was to be made they ought to provide that a man should not be punished who innocently voted in more than one place. He had taken the words which he proposed from the Corrupt and Illegal Practices Act of 1883. Under that Act if a man committed an illegal practice without any corrupt motive he was entitled to go into court and get relief, and why, if a man who committed an illegal practice was entitled to relief, the man who made a mistake and omitted to make a claim for his franchise in time was not, he could not for the life of him understand. A man might omit to make his selection through mere forgetfulness, and it should be remembered that this selection would have to be made at a very inconvenient time, namely in September, when men were away from home on their holidays or when, having returned from their holidays, they were subjected to great pressure in their business. It was quite natural under those circumstances that a man might omit to make his selection, and he should not be disfranchised for mere forgetfulness. The Government had said that they did not wish to disfranchise the plural voter, but unless this Amendment was accepted it would be difficult to accept that assurance. Under his proposal the man would have to satisfy the court that he had been guilty of inadvertence merely and not of any unreasonable delay, and if he satisfied the court of this it seemed to him that it was only reasonable and just that he should still have power to make his selection.

SIR FREDERICK BANBURY seconded the Amendment, which he said would remove the objection which he had raised on the Second Reading of the clause, when he pointed out that while the right hon. Gentleman had put in many sub-sections providing for a great number of omissions he had not put in a sub-section providing for omission by reason of inadvertence. During the first four or five years after the Bill became law there would be any number of cases of inadvertence, because thousands of plural voters would not have studied the Bill or read the proceedings of the House, and unless some proposal such as this was adopted they would be disfranchised altogether. The right hon. Gentleman had stated over and over again that the Government did not intend to disfranchise anybody by this Bill, but unless they accepted this Amendment it would be very difficult for them to adhere to that statement. He agreed with his hon. friend, who with his usual clearness had put his argument very cogently, that if the Government had simply provided that the man should not vote more than once they would not have required all this machinery, which would result in people who were entitled to three or four votes having none at all. Men who by their frugality and industry had obtained property in four constituencies would not only under this Bill be disfranchised in three out of four constituencies, but unless they were careful they would be disfranchised altogether. He was opposed to the principle of the Bill, but he wished to make it a workable measure, and it was with that object in view that he supported the Amendment. A man who had more than one vote committed no crime; on the contrary, he ought to be encouraged because it showed that he had been industrious and frugal, which he thought were rather good traits, although hon. Gentlemen opposite did not seem to think so. September was, as had been pointed out, a very difficult month, because in nine cases out of ten people were away at the seaside or abroad. That certainly was the case in regard to lawyers, merchants, and people of that description, and a man after having enjoyed a short and hard-earned holiday would come back and find that having forgotten to serve the notice of selection he was disfranchised. There was no class of the community except lodgers who had to make this claim, and even now, through the carelessness of officials, as had been pointed out by the right hon. Baronet the Member for the Forest of Dean, even they did not have to make a claim in some cases.

Therefore it came to this, that the unfortunate plural voter was the only person who would have to make a claim. He failed to see any possible argument that could be advanced against this Amendment save that in the first place a person ought not to be inadvertent, and, secondly, that he ought to have knowledge of the law. But that brought him back to the old proposition. He wanted to make this Bill a workable Bill. Everybody must admit that nine out of every ten voters on the register had no knowledge of the law, neither did they take sufficient interest in political questions to go out of their way to get themselves placed on the register. It was one of the most difficult things in electioneering work to get people to take this trouble, yet it was now suggested that under this measure a voter was to go through all these complicated formalities in order to find out whether he was registered in Scotland and in England, whether the qualifying period in Scotland was different from that in England, and whether the result of the two periods being different might land him in having no vote at all. It was absurd. It would be admitted by everybody that inadvertence was likely to occur, and all that this Amendment asked was that the voter should be protected against his inadvertence. The fact that the voter in such a case had to go before a court of law would deter the great majority of people and prevent them taking advantage of the provision, and the right hon. Gentleman need not be much afraid that if he accepted the Amendment he would find the register flooded with plural voters who had gone before the court to remedy their inadvertence. He sincerely hoped that the right hon. Gentleman would accept the Amendment.

Amendment proposed to the clause—

"In line 3, to leave out from the word 'that' to the end of line 5, and insert the words 'his omission to give a notice of selection within the time required by this Act is due to inadvertence, illness, or absence beyond the seas, or to some other reasonable cause of a like nature; or.'"—(*Mr. Cave.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

MR. HARCOURT said the hon. Member would not be surprised to hear that this Amendment was much too wide to be accepted. It would in his view abolish selection altogether, and would be an encouragement to voters to become inadvertent. The word "inadvertence" under this Amendment was synonymous with the word "evasion," because it would encourage a man to be inadvertent till the last moment, when he could by declaration obtain his vote. The inadvertent voter was a negligent, heedless, and careless voter. He had no wish to protect him. He had in this Bill provided for those who acted in ignorance of the law, and hon. Members could not ask for protection for a man who was merely indifferent. He knew the source from whence the hon. Member had taken these words, but there it was a case of relieving a man from a penalty and not merely in order to give him a selection. The hon. Baronet who seconded the Amendment took exception to the time at which the selection was to be made, saying that September was an inconvenient month and that the selection ought not to be made then. He would point out to the hon. Baronet that before September there were eight months in which the voter might with great deliberation make up his mind which constituency he selected and with equal deliberation write a letter and post it to the town clerk or the county council clerk giving that information. There was no obligation to wait until the 5th of September before making the selection, and it was perfectly obvious that the hon. Baronet would not wait, when the whole of the year was available for that purpose, until the middle of his holiday to make his selection. The word "inadvertent" was far too wide if it was intended to retain selection at all, and he could not accept the Amendment.

MR. BONAR LAW (Camberwell, Dulwich) said the Amendment was so reasonable that while his friends were proposing it he wondered what answer the right hon. Gentleman had to it, and he felt sure that he would have to fall back upon what the Opposition considered to be the unnatural selection contained in the Bill. The right hon. Gentleman seemed to think that the inadvertent voter had no right to be considered, and that nobody was to have a vote save those who took the trouble to secure it. Why should not this apply all round? Why should this disability be put only upon the man who had two qualifications? He would have thought anybody in the House would have sympathy for inadvertence. These applications would be very rarely made by the voter himself. It would depend almost entirely upon the registration agents. They would make the selections, and why the right hon. Gentleman should penalise a man who through carelessness or heedlessness failed to make his application at the right time he could not understand. He thought, however, the reason was to be found in the remarks of the hon. Member for Reading on the last Amendment, who said the effect of that Amendment would be to neutralise the whole object of the Bill If that object was not to prevent a man voting twice, then this Amendment would not neutralise it. If the object of the Bill was to prevent a man having a vote at all, this Amendment would neutralise it. The mover of the Amendment said he moved it as a test of the Government's declaration that they did not intend to disfranchise anybody. The hon. Member was long-suffering. No one could have gone through these discussions without seeing that the Bill was unfair and was devoted to securing that as large as possible number of people who had a double qualification should not exercise even one vote. It was the duty of the Opposition to make the Bill, even from the point of view from which it was introduced, fair. But he would say that this Bill was simply a Bill to disfranchise political opponents.

*Mr. R. PEARCE (Staffordshire, Leek) said he was sorry the right hon. Gentleman who was in charge of the Bill had not seen his way to provide some remedy for the inconvenience which would certainly arise from inadvertence. The right hon. Gentleman had stated that selection could be made at any time during the eight months before 5th September. He had however overlooked the fact that the list for which the selection was to be made was not in existence or even in draft, or in embryo, until the overseers published it in the month of August. There was really not more than ten days in which the selection could be made. To show the inconvenience which would result he would give two illustrations. In the City of London in every thousand voters there were 940, or 94 per cent., who would have to make a selection under the Act. Unless these persons had before September sent the requisite notice to the town clerk or the clerk of the county council they would find themselves altogether disqualified from voting at the next election. If they took a county constituency, such as the one he represented, of 500 square miles of country, where the overseers' lists were printed in the same way, and where the revising barrister finished his work in the middle of September, they would find the same thing applied to 10 per cent. of the overseers' lists. It would happen that during the first three or four years, at any rate, of the working of this measure they would find voters, really from nothing but inadvertence or ignorance of the Act, losing votes wholesale. It would not only disfranchise some voters, but it would give an immense amount of trouble to all concerned and create dislike in the minds of large numbers of voters, who would make the greatest possible stir about the loss of their franchise, although he believed it was not the intention of the Government to disfranchise anybody. He begged the Government to consider whether some such words as those proposed by the hon. Member ought not to be inserted in the Bill.

*Mr. CLAVELL SALTER agreed that unless the Government accepted the Amendment, or something of the kind, it would be said of them in the countr that their intention in passing this Bill was to disfranchise certain people. The principle on which this Bill had been ostensibly based was that it was unjust that one man should have several votes while the ordinary elector had only one, and that the Government desired to place the plural voter in the same position as the single one. The position of the single voter was that he had one unconditional vote. If they wanted to place the plural voter in the same position why did they not give him one unconditional vote? They could have done it in three lines. They could have provided for a similar procedure to that employed in the case of municipal elections.

The DEPUTY-SPEAKER said the hon. and learned Member was out of order in discussing that point.

*MR. CLAVELL SALTER said the Amendment proposed to remove from the path of the plural voter some, at any rate, of the restrictions which gave him a conditional vote as against the unconditional vote which the single voter had. If they were to treat the single voter as they were proposing to treat the plural voter, and were to hedge round his vote with the restrictions with which they were proposing to hedge round the one vote left to the plural voter, it would be found that the restrictions were very serious indeed. Surely it was not a liberal principle to hedge round the exercise of the franchise by any man. One could understand the argument that all men should be equal in their electoral power; but in that case why not make them equal and put the plural voter in the same untrammelled position as the single voter?

THE DEPUTY-SPEAKER said the hon. and learned Gentleman was going outside the point of the Amendment.

*MR. CLAVELL SALTER said in that case he would not trouble the House further.

*MR. COURTHOPE said the right hon. Gentleman in charge of the Bill had made the extraordinary statement that this proposed new clause had been carefully drafted in order to provide for any case of failure of selection owing to ignorance of the law. There was a proviso to cover failure of selection owing to ignorance of fact, but he could not see that failure owing to ignorance of the law was covered. He would, therefore, urge the right hon. Gentleman to consider his refusal to accept this Amendment, because, unless it or a similar Amendment were adopted, the avowed intention of the Government would not be accomplished. The right hon. Gentleman had also stated that he strongly objected to anything being done to relieve the inadvertent voter, but he would call the right hon. Gentleman's attention to sub-head (e) of his own proposed clause, which expressly provided for the man who through inadvertence or ignorance had given notice in respect of the wrong constituency or to the wrong clerk. The right hon. Gentleman provided for it in the one case and stated that it was provided for in the other; but it was not, and therefore he urged the acceptance of this Amendment. It was well known that years passed before the public understood a new statute, and it was quite conceivable that an election might come on in November or December, and that the instructions for polling, etc., sent out by Party agents might be the first means by which a voter became acquainted with the fact that this Act was in existence. Again, the right hon. Gentleman said that a man had eight months in which to select. But a pluralist might reasonably wish to postpone his selection until he knew where he should cast his vote to the greatest benefit to his Party. He then might forget the matter owing to urgent business or through some other cause allow the 5th September to pass, and so become disfranchised. Surely the Government did not intend this. On the three grounds to which he had referred he urged the Government to accept this Amendment.

*THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.) said the hon. Member for Rye had given the real reason for the Amendment when he described a voter who delayed until the last moment making up his mind in which constituency he should vote in order that his vote might carry the greatest political weight. [AN HON. MEMBER: Why not?] Whatever sympathy there might be for such action, it did not come under the cover of inadvertence. So far from having brought about his misfortune by inadvertence, he would have brought it about by over calculation and by being "too clever by half." The question they had to ask themselves, assuming there was a duty, was whether in a case in which inadvertence explained the breach relief ought to be given. If they gave relief to every man who, owing to forgetfulness or carelessness, had failed to discharge the duty imposed upon him by the statute, there would be no sort of sanction by which the careless elector might be quickened to the necessary degree of diligence to discharge that duty. It was in reality a case of carelessness, of forgetfulness, and of postponing an application——

SIR FREDERICK BANBURY: Or ignorance of the law.

*SIR JOHN WALTON: That would not be an inadvertence. For a man to be able to go to the Court and admit he had been very careless and get relief would bring the statute into contempt. It was almost essential to the working of the Act that this duty should be performed. If it was honoured in the breach and not in the observance, the main object of the Act would be defeated. He asked the House to reject the Amendment.

MR. AUSTEN CHAMBERLAIN said the House recognised in the speeches of the Attorney-General a real endeavour to meet the points the Opposition made, and the speech just delivered was an illustration of that fact. At the same time the Attorney-General would not expect him to say that he had met them satisfactorily. At any rate he would try to meet the hon. and learned Gentleman's arguments with equal fairness and directness. Some hon. Members below the gangway said the hon. Member for Rye had given away the Opposition case by suggesting as an illustration the case of a man who deliberately postponed until the last moment making a choice of constituency in order that his vote should be most effective. If the voter deliberately left his decision over until after the proper time for making the choice, of course the words of the Amendment would not cover his case at all, and, if it had meant that, his hon. friend's illustration would not have been germane. But the case he understood his hon. friend to put was that of a man who deliberately refrained in the early months from making his choice, with the intention of making it within the proper time though at the last opportunity allowed him by the law. When that time arrived, however, owing to pressure of business, or some other cause, the man inadvertently failed to make his choice. What possible argument was there against a man who had more than one qualification selecting that which would make his vote most effective?

MR. ARTHUR HENDERSON (Durham, Barnard Castle) said what they took exception to was the hon. Gentleman's making that out to be a case of inadvertence.

MR. AUSTEN CHAMBERLAIN did not think the hon. Gentleman bore in mind the earlier course of the debate. It had been urged against the Amendment that, as a voter had eight months in which to make his selection, he must be a singularly careless citizen if he did not make the selection by the time September came round. It was then urged by his hon. friend that he might have good reason, and this was a good reason, for delaying his selection till the last moment. If they granted that the voter might reasonably defer his choice until the last moment they must also grant that at the last moment he might omit to send in his notice. After all, the 5th September was not a date familiar to them like Christmas Day, or even quarter day, and unless persons were actively concerned in the work of registration the date might easily slip from their minds. It was admitted that voters if left to themselves did not take steps to get upon the register, so that for the safeguarding of the right of duly qualified men to vote under this Act they would have to depend upon party agents. That was not a right thing to do. They did not do it now in regard to the mass of voters, whose rights were safeguarded by the overseers; and where the overseers did their work well, as was the case in his constituency, the work of the party agents was reduced to a minimum. The effect of this Bill would be to throw on the Party agents the whole burden of securing the votes of every man who had more than one qualification. He objected to that *in toto*. He objected to any machinery which made it more difficult for a citizen to discharge the first duty of his citizenship. He also objected to anything which would make the ordinary business of the political struggle more costly. They would be increasing the difficulty for a poor man to get into the House by putting an additional strain upon him. He objected *in toto* to the principle on which the Government were proceeding, and he would support every modification, however small, which would mitigate the grievance and the hardship they were inflicting. He was anxious to make the exercise of a vote once by any qualified voter as easy and simple as possible, and to provide the easiest and simplest remedy in cases where through inadvertence, omission, or ignorance on the part of the voter the selection of a constituency had not been made within the time required by the Act.

MR. WILLIAM RUTHERFORD (Liverpool, West Derby) said this Amendment would enable a voter to exercise his option in the selection of a constituency after 5th September on two conditions, namely, "inadvertence" or "some other reasonable cause." A man who had two qualifications and failed to send in notice of selection was not a criminal. Under the 23rd section of the Corrupt Practices Act an offender who had committed an offence could obtain relief if he had offended through inadvertence. The case to which the Amendment referred was that of a man who had not committed any offence, but who had simply omitted to send in his notice of selection, and surely he also ought to be able to obtain relief if his omission was due to inadvertence. If the Government really intended to prevent plural voting, everything ought to be made as easy as possible to a man who had committed no offence or crime. Hon. Members sometimes did things which they ought not to do simply from inadvertence. He himself was guilty of that kind of offence every day. He hoped that even at the twelfth hour the Government would see that the argument in favour of this Amendment was unanswerable.

MR. RAWLINSON (Cambridge University) pressed on the Government the importance of this small Amendment. Relief ought to be given to a man who had been honestly inadvertent or honestly ignorant. The Attorney-General and also the right hon. Gentleman in charge of the Bill had said that if this Amendment were accepted there would be practically no penalty for not sending in notice of selection by 5th September. He thought they both failed to remember the words at the end of the clause, which were as follow—

> "For the purpose of this section 'court' means the High Court or a court of summary jurisdiction or county court having jurisdiction in the constituency which the applicant under this section desires to select."

They knew what the penalty of having to make application to the court was. The lawyers' fees which the voter would have to pay would be a sufficient penalty for the inadvertence of not sending in his application at the proper time. He took the view that this was a perfectly fair test Amendment. If the Bill was a genuine attempt on the part of the Government to deal fairly and rightly with the matter of plural voting and they desired to make it a workable measure, what possible reason was there for not accepting the Amendment? If the real object of Bills of this kind was not that they should be workable measures, the object must be, as some Radical papers had said, to "fill up the cup" of another place.

MR. DEPUTY-SPEAKER: I do not see that this has anything to do with the Amendment.

MR. RAWLINSON said he was explaining the reason why this Amendment was not accepted by the Government. He was showing the possible motives which might induce the Government to accept or reject an absolutely reasonable Amendment. The Government had not given any good reason why the Amendment should not be accepted. The power which the Amendment proposed to give to the court was safeguarded on every side.

MR. T. L. CORBETT was not quite sure whether the right hon. Gentleman had heard the argument of the Attorney-General, that if a man had two votes and did not feel keenly and earnestly enough in an election to give notice in time that he intended to vote in a particular constituency, such a man was not entitled to a vote at all. But if that argument was to prevail, why should not the same notice be required from a man who had only one vote that he intended to cast that vote at the forthcoming election. He thought that that was a perfectly fair proposal. Every man ought to give notice that he intended to vote, and if that were the law he believed that it would exclude a very large number of people from the poll who were not entitled to vote.

*SIR HENRY CRAIK (Glasgow and Aberdeen Universities) said he did not intend to give a silent vote. The right hon. Gentleman and his colleagues did not appear quite to appreciate the difficulty which would be caused by the non-acceptance of this Amendment. There were instances where inadvertence might honestly prevail which might tend to the disfranchisement of those whom the House had no wish to disfranchise. This Amendment would really show whether the object of the Bill was not merely to equalise the voting power of all citizens, but actually to disfranchise many of those who now possessed more than one vote. The Attorney-General had said that any man who had so little interest, knowledge, and appreciation of current politics as not to make a selection between two constituencies in which he happened to be a voter was rightly and justly disfranchised. But was it not the case that many of those not mixed up with political work might honestly be ignorant of the various rules, and thus be disfranchised by no fault of their own, or might be so nervous about contravening some unknown rule, that they would almost be forced to withdraw altogether from the exercise of their voting power. The Chancellor of the Exchequer was one who would have suffered from that, because the right hon. Gentleman had recently, in moving terms, described how he had failed to become an elector in the University of Oxford; but he forgot that at the same time, without the payment of any money, he was a constituent of the University he himself had the honour to represent, and had the right hon. Gentleman carried the inadvertence a little further, and forgotten his duty to make a selection, he would have been disfranchised altogether. He shuddered to think of the frightful penalties to which the right hon. Gentleman would have been subjected in such an event, and he wanted to save him from possible imprisonment. He appealed to the right hon. Gentleman in charge of the Bill to accept the Amendment if only from consideration of the risks which his distinguished colleague would incur.

Captain CRAIG (Down, E.) wished to emphasise the very important point raised by the hon. Member who had moved the Amendment, especially as it affected the north of Ireland, where the Party machinery was not so perfect as in England and Scotland. He held that the great purpose of an election was, in the first instance, to ascertain the real feelings of the country on any question brought before it. The Attorney-General had said that if a man who was doubly or trebly entitled to vote failed to make a selection, and thereby lost his vote, that would be brought about by his being too clever by half. He knew cases in which genuine inadvertence had occurred in making a selection—cases with which he believed the hon. and learned Gentleman would heartily sympathise. The great majority of electors were not so clever as the hon. Gentleman who used the expression "too clever by half" would have the House believe. He contended that a man who, through industry and enterprise, had built up businesses in different parts of the country should be entitled to a vote in each, as having special knowledge of the locality and of its trade interests. Such a man, instead of being penalised as he would be under this clause, ought rather to be encouraged to have as many votes as he had industrial premises in different constituencies. This question had undoubtedly been debated in Committee, but only on the Opposition side of the House, and no real argument against it had been offered on the Government side. In the City and county of London and various other parts of wealthy England the Party organisations saw that men were placed on the register, but there were most important isolated parts of the country with which Party agents had hardly anything to do, where the inhabitants were good citizens of the empire and were anxious to do their duty by voting when the time of election came, and who were desirous of having their names placed on the register without any interference by Party or political agents at all. On an election on an important point, when this House went to the country to decide whether there should or should not be war, or when the House went to the country on some great question such as tariff reform, this clause would destroy the proper determination of the particular point which was submitted to the country. It might happen that in the particular year in which the question was to be decided and in which the Government sought to test the feeling of the country, that there might be an abnormal amount of inadvertence. Take the case where a Government which had been in power for four or five years and everything had been running smoothly and without any appearance of what might be called a political cloud upon the horizon; suddenly something of great interest occurred and the Government of the country appealed to it on some vital point. Were they on occasions of that sort to find that those who had by their industries built up many of our cities and towns and had become the backbone of them were to be deprived of their right to exercise the franchise. He thought they ought to see that those who were the backbone of our great industries should not have their privileges jeopardised by leaving out the word "inadvertence." He did not see why great employers of labour who had onerous duties to perform should be penalised in this way. They were busy men who had onerous duties to dischargo at one time in one part of the country, at other times in other parts of the country. Why should not their votes be looked after as well as those of the constituents of hon. Members below the gangway. He saw nothing unreasonable in the Amendment, and he had not heard one argument of any weight which had been advanced in controvention of the points which had been urged with such eloquence by his right hon. friend on the Front Opposition Bench.

*MR. STANLEY WILSON in supporting the Amendment said he should like to put his own case before the House. At the last general election he was qualified for a vote in London, having been the possessor of property there for a year or two. But until the election was in sight he had not the vaguest idea that he was on the register, nor did he know until the day when he received an election address. Supposing this Bill had been law before the last general election, what would his position have been if he had voted in one place whilst having two qualifications? Nobody could say that he had done it intentionally, but he would have found, unless some such Amendment as this had been accepted, either that he was disqualified from voting, or if he had gone and voted he would have been liable to be put into prison. [Cries of "No, no!"] It was a genuine case he was bringing before the House, one which might happen to anybody, and he did not think that they should disfranchise men who had inadvertently forgotten to say where they were going to vote. He once more appealed to the Chancellor of the Exchequer to accept the Amendment.

MR. HARCOURT explained to the hon. Member who had just spoken that his hard case had been met already by a new clause which he would find on the Paper.

MR. STANLEY WILSON: Then why not accept this Amendment?

MR. WALTER LONG said this was probably the last Amendment on the Paper marking the dividing line between the Government and the Opposition, and the latter would support their views in the division lobby. The object of the Government appeared to be to put a man who had more than one qualification under serious difficulties, to which the owner of a single qualification would not be subject. He had listened with astonishment to the speech of the Attorney-General. Was the view seriously held on the Ministerial benches that if a man had more than one qualification it was an improper thing for him to reserve to the last moment steps for securing the right to vote? It might happen that there would be no contest in two out of three constituencies for which he was qualified. What the Government wanted, but were afraid to do directly, was to prevent a man voting more than once. If this grievous disability were to be laid on an elector he ought to have every opportunity of exemption in cases in which he had acted honestly. That the Government declined to provide. The Opposition were justified in pressing this question as it had been pressed, because it marked the line which divided them from the Government. The Opposition said that every possible exemption should be given to the elector if he acted honestly. The Government said that every penalty should be placed upon him and every obstacle put in his way if he tried to exercise his vote. That was a new step to take. It was a novel proceeding to impose these difficulties on plural voters, and as this was the last opportunity that they would have of protesting against it, they would support this Amendment.

Question put.

The House divided :—Ayes, 299; Noes, 79. (Division List No. 437.)

AYES.

Abraham, William (Rhondda)
Adkins, W. Ryland D.
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. W. C. B (Hexham
Beck, A. Cecil
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, Sir J. H. (Essex, Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W. (Bedfordshire
Boland, John
Bolton, T. D. (Derbyshire, N.E.
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Chesh.
Bryce, J. A. (Inverness Burghs)
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Syndey Chas.
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Causton, Rt. Hn. Richard Knight
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W.
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C H. (Sussex, E. Grinst'd
Cory, Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Crean, Eugene
Crombie, John William
Crossley, William J.
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Greenwood, G. (Peterborough)
Guest, Hon. Ivor Churchill
Gurdon, Sir W. Brampton
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, R. L. (Caithn'ss-sh
Hart-Davies, T.
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holden, E. Hopkinson
Hope, W. Bateman (Somerset, N.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kincaid-Smith, Captain
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Francis
Lea, Hugh Cecil (St. Pancras, E.)
Leese, Sir Joseph F. (Accrington)
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich
Levy, Maurice
Lewis, John Herbert
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Lynch, H. B.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G. Croydon (Launceston
Marnham, F. G.
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)

O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Grady, J.
O'Hare, Patrick
O'Kelly, James (Roscommon,N
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paul, Herbert
Pearce, William (Limehouse)
Pearson, W.H.M.(Suffolk, Eye
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Price, Robt. John (Norfolk, E.)
Priestley, W.E.B.(Bradford, E.
Raphael, Herbert H.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, T. F. (Wolverh'mptn
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Rt. Hn. E. (Dundee
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph(Chesh.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.)
Thompson,J.W.H.(Somerset,E.
Thorne, William
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Wadsworth, J.
Walker, H. De R. (Leicester)
Wallace, Robert
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, W.Dudley(Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Watt, H. Anderson
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Wills, Arthur Walters
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wood, T. M'Kinnon
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Anson, Sir William Reynell
Arkwright, John Stanhope
Aubrey-Fletcher, Rt. Hn.SirH.
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry)
Beach, Hn.Michael Hugh Hicks
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Butcher, Samuel Henry
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Chamberlain,Rt.Hn.J.A.(Worc.
Coates, E. Feetham (Lewisham
Cochrane, Hon. Thos. H. A. E.
Corbett, A. Cameron (Glasgow)
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Dixon, Sir Daniel
Douglas, Rt. Hon. A. Akers-
Duncan,Robert (Lanark,Govan
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Gardner, Ernest (Berks, East)
Hamilton, Marquess of
Hervey,F.W.F.(Bury,S.Edm'ds
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Houston, Robert Paterson
Kennaway,Rt. Hn. Sir John H.
Kenyon-Slaney,Rt. Hn. Col.W.
Keswick, William
Lee, Arthur H.(Hants,Fareham
Long, Rt.Hn. Walter (Dublin,S.
Lonsdale, John Brownlee
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Moore, William
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield)
Nield, Herbert
Pease, Herbert Pike(Darlington
Percy, Earl
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Rawlinson, John FrederickPeel
Roberts, S. (Sheffield,Ecclesall)
Ropner, Colonel Sir Robert
Rothschild, Hon. Lionel Walter
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Abel H.(Hertford, East)
Smith, F. E. (Liverpool, Walton
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Talbot, Rt.Hn.J.G.(Ox'fdUniv.
Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Warde, Col. C. E. (Kent, Mid)
Wedgwood, Josah C.
Wilson, A. Stanley (York,E.R.)
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE NOES—Sir Alexander Acland-Hood and Mr. Forster.

MR. HARMOOD-BANNER (Liverpool, Everton) moved to omit from paragraph (c) the words "or in which his name has been struck off the lists of voters on revision or on appeal." He said that hitherto he had been very fairly treated. This was the first hole picked in the Bill in the Committee stage, and the Chancellor of the Exchequer who then led the Government accepted the view that it was a manifest injustice to the plural voter that if he was struck out of the lists on revision he should have no opportunity of setting himself right and claiming a vote in the election. The promise made to put that right, with due deference to the right hon. Gentleman opposite, had not been very well fulfilled. It was perfectly clear that where a man suffered this injustice the only remedy given by this Bill was an application to a Court. A man stood on the register and the notices rejecting his vote were received in a somewhat haphazard way. Men might be careless about these matters, but there was this injustice, that every voter, for one reason or another, stood a very good chance of having his vote objected to and having it thrown out. The opposing agent had only to serve notices, and there was sure to be a number of electors who would not attend the Court to substantiate their votes, and their votes would be disallowed. These men would have no right to vote in elections unless they applied to the Court for leave. That was a very poor compliance with the promise to remedy this omission in the Bill. It would have been easy to put in a clause requiring the revising barrister to give a certificate to the plural voter whose vote had been disallowed, so as to afford him another fortnight in which to make a choice. He asked the right hon. Gentleman to consider what was fair and reasonable and not to permit a hardship of this kind to be inflicted. The suggestion he made would provide a simple and ready remedy, and would do away with undoubted persecution. Would the right hon Gentleman consider whether he could not make this a more acceptable measure, freer from hardships to the plural voter? Even if hon. Gentlemen opposite did not like the plural voter they ought at least to do him justice.

Captain CRAIG seconded the Amendment. The Bill from start to finish was extremely difficult to follow considering the simplicity of the object which was aimed at. Unless this Amendment or something of the kind was accepted an unnecessary expense would be cast on a class of the community who were not offenders against the law in the sense of being objectionable citizens.

Mr. Harmood-Banner.

Amendment proposed to the clause—

"In line 10, to leave out the words from the word 'voters' to the end of line 11."—(*Mr. Harmood-Banner.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

Mr. HARCOURT said that it was not often that a Minister in charge of a Bill was appealed to to omit a concession which had been made in Committee in order to meet the wishes of the other side. He certainly promised no more than this. The hon. Member, he thought, was under a misapprehension as to the sort of man he was providing for in the Amendment. He had omitted to notice that before the voter could be struck off by the revising barrister or on appeal he must receive notice of objection. That notice of objection he would receive before 5th September, and, therefore, if on that date he still left the objection in force he was running a sporting risk of being able to secure the selection of a vote which he knew was objected to, and if he lost it he was only paying the penalty for the risk he chose to run. It had nothing to do with the revising barrister as was settled in Committee. He thought the difficulty suggested as to the voter having to go to a Court had been met to some extent by the promise he had given that he would select words for insertion at the end of the clause. This Amendment being to leave out a concession made in Committee, he could not accept it.

Sir E. CARSON said it was true that the right hon. Gentleman promised to consider this matter in Committee with a view to preventing a man under these circumstances from being disfranchised altogether, but the House had a right to discuss whether he had really adopted the best and fairest method. Here was an elector with two qualifications, who had served his proper notice of selection as regards one of them, who had done so at the proper time and place, and yet, because his name was struck off on revision or on appeal, he became disfranchised unless some Amendment of the kind suggested was put in. Why should such a man not have the rights and privileges of the elector with only one qualification? How could it be fair to ask a man who had served the right notice at the right time and place, because his name was subsequently struck off the list, to make an application to the Court for the purpose of giving him the right to exercise his single qualification? Anything more absurd it was hard to imagine. It had been pointed out that the attempt was being made to penalise a man who happened to have two qualifications in a manner which would never be thought of in the case of a man who only had one qualification. All that they asked was that the moment the plural voter was reduced to the position of having only one qualification, he should be in exactly the same position as other voters.

MR. ASQUITH said that if a man having two qualifications before 1st January was struck off in respect of one, on 1st January he would have only one qualification. Therefore he would not be a plural voter and would not need to make any application. The only case for which the Amendment provided was the comparatively rare case of the man who had three or four qualifications, and selected one in respect of which he was ultimately struck off. The result would be that on 1st January he would be registered in two or more places, but not in the place he had selected. He ought, therefore, to apply to the court.

Question put.

The House divided:—Ayes, 315; Noes, 69. (Division List No. 438.)

AYES.

Abraham, William (Rhondda)
Adkins, W. Ryland D.
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Asthon, Thomas Gair
Asquith, Rt. Hn. Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somers't
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hn. W. C. B. (Hexham
Beck, A. Cecil
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, Sir J. H. (Essex, Romf'rd
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire
Boland, John
Bolton, T. D. (Derbyshire N.E.)
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brodie, H. C.
Brunner, J. F. L. (Lancs., Leigh
Brunner, Rt. Hn. Sir J. T. (Chesh
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burnyeat W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Causton, Rt. Hn. Richard Knight
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W.
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C. H. (Sussex, E. Grinst'd
Cory, Clifford John
Cowan, W. H.
Cox, Harold
Crean, Eugene
Crombie, John William
Crooks, William
Crossley, William J.
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gladstone, Rt. Hn. Herbert John
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Guest, Hon. Ivor Churchill
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Hart-Davies, T.
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.
Henry, Charles S.
Herbert, Colonel Ivor (Mon., S.)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Hope, W. Bateman (Somers't, N.
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.

Illingworth, Percy H.
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Francis
Lea, HughCecil (St.Pancras,E.)
Leese, Sir JosephF.(Accrington
Lehmann, R. C.
Lever, A. Levy (Essex,Harwich
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kean, John
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G.Croydon(Launceston)
Marnham, F. J.
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas

Murray, James
Myer, Horatio
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Grady, J.
O'Hare, Patrick
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W. H. M. (Suffolk, Eye
Philipps, Col.Ivor(S'thampton)
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pollard, Dr.
Power, Patrick Joseph
Price, Robert John(Norfolk,E.)
Priestley, W.E. B.(Bradford,E.
Radford, G. H.
Raphael, Herbert H.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, T.F.(Wolverh'mpton
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Scott, A.H.(Ashton underLyne
Sears, J. E.
Seaverns, J. H.
Seely, Major J. B.
Shaw, Rt. Hn. T. (Hawick, B.)
Shipman, Dr. John G.

Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn.A. Lyulph(Chesh.)
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thompson,J.W.H.(Somerset,E
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Wadsworth, J.
Walker, H. De R. (Leicester)
Wallace, Robert
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Ward,W.Dudley(Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, JohnCathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williamson, A.
Wills, Arthur Walters
Wilson, Hn. C. H. W. (Hull, W.
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE AYES—Mr. Whiteley and Mr. J. A. Pease.

NOES.

Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher, Rt. Hn. SirH.
Balcarres, Lord
Banbury, Sir Frederick George
Baring, Hon. Guy (Winchester)
Barrie, H.T.(Londonderry, N.)
Beach, Hn. MichaelHugh Hicks

Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Butcher, Samuel Henry
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-

Coates, E. Feetham (Lewisham
Cochrane, Hon. Thos. H. A. E.
Corbett, A. Cameron (Glasgow)
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craik, Sir Henry
Dixon, Sir Daniel
Doughty, Sir George

Duncan, Robert(Lanark,Govan
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Forster, Henry William
Gardner, Ernest (Berks, East)
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hervey,F.W.F.(Bury,S.Edm'd
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Houston, Robert Paterson
Kennaway, Rt.Hn.SirJohn H.
Kenyon-Slaney, Rt.Hn.Col.W.
Keswick, William
Lee, ArthurH.(Hants.,Fareham
Magnus, Sir Philip
Meysey-Thompson, E. C.
Morpeth, Viscount
Nicholson, Wm. G.(Petersfield)
Nield, Herbert
Pease, HerbertPike(Darlington
Percy, Earl
Powell, Sir Francis Sharp
Rawlinson, John FrederickPeel
Roberts, S.(Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rothschild, Hon. Lionel Walter
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Sassoon, Sir Edward Albert
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford,East
Smith, F. E.(Liverpool,Walton
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Talbot, Lord E. (Chichester)
Talbot, Rt.Hn.J.G.(Oxf'dUniv.
Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Warde, Col. C. E. (Kent, Mid)
Wilson, A.Stanley (York, E.R.)
Younger, George

Tellers for the Noes—Sir William Bull and Mr. Harmood-Banner.

Mr. MITCHELL-THOMSON (Lanarkshire, N.W.) moved an Amendment to provide for the difficulty that arose from the difference in dates of the English and Scottish Parliamentary registers in cases where electors had votes in both countries. In Scotland by Act of Parliament the Parliamentary register came into force on 1st November, but in England not until the 1st of January. Four difficulties arose from that, two only of which had been met by the Amendment of the right hon. Gentleman in charge of the Bill. When this subject was discussed in Committee the Lord Advocate met him very courageously and fairly, and said he proposed to provide for the difficulties he had mentioned by Order in Council under Clause 6. He did not attempt to conceal the fact that the object of the Amendment was to give an opportunity to the Government to say what was their opinion as to the desirability of giving the Secretary of Scotland such powers under an Order in Council, against which he protested. He contended that if such great constitutional alterations were to be made it should be done by Act of Parliament, and not by Order in Council. He begged to move.

Amendment proposed to the clause—

"In line 26, after the word 'constituency, to insert the words '(*h*) that having selected for the currency of the last Parliamentary register a constituency in Scotland, he has ceased, or will cease before the first day of November, to be marked on the register of that constituency; (*i*) that, having selected for the currency of the ensuing Parliamentary register a constituency in Scotland, he will cease, before or at the end of the calendar year, to be marked on the register of his present voting constituency."—(*Mr. Mitchell-Thomson.*)

Question proposed, "That those words be there inserted in the clause."

The LORD ADVOCATE (Mr. Thomas Shaw, Hawick Burghs) said he had been very much interested to notice the provisions of Sub-sections (f) and (g) of the new clause which applied to Scotland. He must say that, like his hon. and learned friend, he had thought it would be possible to pick some holes in those sub-clauses, and he gave his hon. and learned friend some credit for attempting that task. Obviously, however, his hon. and learned friend had found that those clauses were perfectly sound and he now started two fresh sub-sections, which obviously were not meant to be discussed at this point of the Bill at all, because there was something in them which would absolutely reverse Section 6, dealing with the power to be exercised by the Secretary for Scotland He was one of those who preferred to take difficulties as they occurred, and he was not going to be led into discussing the sub-sections of Clause 6 upon Clause 2. The Amendment would introduce absolute confusion. Under the Bill the selection to be exercised by the voter was for the currency of the year from the 1st January until the 31st December, and if they made the selection for the currency of the year in Scotland from the 1st November till the 31st of October the result would be absolute confusion, because the Scotsman's selection would end on the 31st October and the Englishman's on the 31st December. Whoever heard the like of that? Surely they had plenty of national grievances in the North without his hon. and learned friend introducing this new era of confusion in every register of the two countries. Many men were not only on the register of Scotland, but on the register of the three countries, and they must have one option capable of being exercised at one time under the provisions of Subsection 1. In order to do this it was necessary that the selection should run from the 1st January till the 31st December in all three countries. He had considered the matter and had communicated with high authorities in Scotland on both sides of politics, and they all agreed that the Bill was now in shipshape condition.

*Mr. COCHRANE (Ayrshire, N.) said that if the right hon. Gentleman instead of communicating with high legal authorities had put questions to the ordinary elector in Scotland he wondered how that elector would have understood them. The difficulties to which the right hon. Gentleman referred did not arise from the Amendment of his hon. and learned friend, but were inherent in the Bill itself. The right hon. Gentleman had given a learned disquisition on the Amendment, but he had not provided a way out of the difficulty which he said would be made clear when Clause 6 was discussed. But would he give a guarantee that Clause 6 would be discussed in this House? It appeared from Clause 6 that the Secretary for Scotland might issue instructions for this purpose under an Order in Council. The register in Scotland did not exist for the calendar year, and what would be the effect of those regulations so far as the Scottish elector was concerned? In some cases he would be registered as a voter in England and also in Scotland, and then he would have to refer to the Order in Council. What would be the effect if this unfortunate man made a mistake? Some terrible consequences might happen and he might find himself in the position of a perfectly innocent man going to prison for a long time. He had not full confidence in Orders in Council made on a political question such as this by any Government, although he made no reflection on his right hon. friend the present Secretary for Scotland. But to place in his sole and undivided charge a power under which he might deprive men of the franchise was not desirable. He himself hoped he would not suffer the penalties of those who possessed more than one vote, but he had a certain sympathy for those people, and he certainly thought that the House should not make it possible for a man to be made liable to such penalties. Hitherto it had been the practice in Scotland not to carry out matters of this kind by the *ipse dixit* of the Secretary for Scotland. An Order in Council had to be by the Privy Council and had to be signed by the King, and it would be a far greater safeguard than anything signed by a mere Secretary for Scotland. He admitted that there were considerable difficulties, and he did not know how this clause would work even if amended by his right hon. friend. Instead of permitting these regulations to be made by the Secretary for Scotland he submitted that they ought to be placed in the Bill so that an elector who wished to perform his obligations could see what they were. If the right hon. Gentleman had failed to make this clear a great responsibility rested on the Law Officers of the Crown.

Question put.

The House divided:—Ayes, 75; Noes, 313. (Division List No. 439.)

AYES.

Acland-Hood,Rt.Hn.SirAlex F.
Anson, Sir William Reynell
Arkwright, John Stanhope
Ashley, W. W.
Aubrey-Fletcher,Rt. Hn. Sir H.
Balcarres, Lord
Balfour, Rt.Hn. A.J. (CityLond
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry, N.)
Beach, Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Butcher, Samuel Henry
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Chamberlain,Rt.Hn.J.A.(Worc
Coates, E. Feetham (Lewisham
Cochrane, Hon. Thos. H. A. E.
Corbett, A. Cameron (Glasgow)
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Dixon, Sir Daniel
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Duncan, Robt. (Lanark, Govan
Fell, Arthur
Fletcher, J. S.
Forster, Henry William
Hamilton, Marquess of
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hervey,F.W.F.(Bury,S.Edm'ds
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Houston, Robert Paterson
Kenyon-Slaney, Rt. Hn. Col. W.
Keswick, William
Long,Rt. Hn. Walter(Dublin,S.
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Meysey-Thompson, E. C.

Moore, William
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield)
Percy, Earl
Powell, Sir Francis Sharp
Rawlinson, John Frederick Peel
Remnant, James Farquharson
Roberts, S. (Sheffield, Ecclesall)
Ropner, Colonel Sir Robert
Rothschild, Hon. Lionel Walter
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H. (Hertford, East)
Smith, F. E. (Liverpool, Walton
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Talbot, Lord E. (Chichester)
Talbot, Rt. Hn. J. G. (Oxf'd Univ.
Thornton, Percy M.
Tuke, Sir John Batty
Vincent, Col. Sir C. E. Howard
Warde, Col. C. E. (Kent, Mid)
Wilson, A. Stanley (York, E.R.)
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE AYES—Mr. Mitchell-Thomson and Sir Henry Craik.

NOES.

Abraham, William (Rhondda)
Adkins, W. Ryland D.
Agnew, George William
Alden, Percy
Allen, A. Acland (Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, John Emmott (Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Beale, W. P.
Beauchamp, E.
Beaumont, Hn W. C. B. (Hexham
Beck, A. Cecil
Bellairs, Carlyon
Benn, Sir J. Williams (Devonp'rt
Benn, W. (T'w'r Hamlets, S. Geo.
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire
Boland, John
Bolton, T. D. (Derbyshire, N.E.)
Brace, William
Bramsdon, T. A.
Brigg, John
Bright, J. A.
Brocklehurst W. B.
Brodie, H. C.
Brunner, J. F. L. (Lancs., Leigh)
Brunner, Rt. Hn. Sir J. T. (Chesh.
Bryce, Rt. Hn. James (Aberdeen
Bryce, J. A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burnyeat, W. J. D.
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton, Rt. Hn. Richard Knight
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Coats, Sir T. Glen (Renfrew, W.)
Cobbold, Felix Thornley
Collins, Sir Wm. J. (S. Pancras, W.
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C. H. (Sussex, E Grinst'd
Cory, Clifford John
Cowan, W. H.
Cox, Harold
Crean, Eugene
Crombie, John William
Crooks, William
Crossley, William J.
Dalziel, James Henry
Davies, David (Montgomery Co.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W. H. (St. Pancras, N.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dobson, Thomas W.
Duffy, William J.
Dunn, A. Edward (Camborne)
Dunne, Major E. Martin (Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Fenwick, Fharles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gladstone, Rt. Hn. Herbert John
Glendinnnig, R. G.
Glover, Thomas
Goddard, Daniel Ford
Greenwood, G. (Peterborough)
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Halpin, J.
Harcourt, Right Hon. Lewis
Hardie, J. Keir (Merthyr Tydvil)
Hardy, George A. (Suffolk)
Harmsworth, Cecil B. (Worc'r)
Harmsworth, R. L. (Caith'nss-sh
Hart-Davies, T.
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hedges, A. Paget
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J. M. (Aberdeen, W.)
Henry, Charles S.
Herbert, Colonel Ivor (Mon., S.
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Hope, W. Bateman (Somerset, N
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Isaacs, Rufus Daniel
Jacoby, Sir James Alfred
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kennedy, Vincent Paul
Kincaid-Smith, Captain
King, Alfred John (Knutsford)
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lea, Hugh Cecil (St. Pancras, E.)
Leese, Sir Joseph F. (Accrington
Lehmann, R. C.
Lever, A. Levy (Essex, Harwich)
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.

Maclean, Donald
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major J.
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G. Croydon (Launceston
Marnham, F. J.
Massie, J.
Meagher, Michael
Meehan, Patrick A.
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Murray, James
Myer, Horatio
Napier, T. B.
Newnes, F. (Notts, Bassetlaw)
Nicholls, George
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal (Tipperary Mid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas (Roscommon, N.)
O'Malley, William
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs., Leek)
Pearce, William (Limehouse)
Philipps, Col. Ivor (S'thampton
Philipps, Owen C. (Pembroke)
Pickersgill, Edmund Hare
Pollard, Dr.
Power, Patrick Joseph
Price, Robert John (Norfolk, E.
Priestley, W.E.B. (Bradford, E.
Radford, G. H.
Raphael, Herbert H.
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Richards, T. F. (Wolverh'mptn
Rickett, J. Compton
Ridsdale, E. A.
Roberts, G. H. (Norwich)
Roberts, John H. (Denbighs.)
Robertson, Sir G. Scott (Bradford
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scarisbrick, T. T. L.
Schwann, C. Duncan (Hyde)
Schwann, Sir C. E. (Manchester)
Scott, A. H. (Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick, B.
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan, E.
Thomasson, Franklin
Thompson, J.W.H. (Somerset, E
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Wadsworth, J.
Walker, H. De R. (Leicester)
Wallace, Robert
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Ward, W. Dudley (Southampt'n
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E.R.)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Whittaker, Sir Thomas Palmer
Wiles, Thomas
Williams, J. (Glamorgan)
Williamson, A.
Wills, Arthur Walters
Wilson, Hn. C. H. W. (Hull, W.
Wilson, J. H. (Middlesbrough)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

And, it being after Eleven of the clock, further consideration of the Bill, as amended, stood adjourned.

Bill, as amended, to be further considered To-morrow.

NAVAL PRIZE BILL [LORDS].

Order for Committee read and discharged.

Bill withdrawn.

BOND INVESTMENT COMPANIES BILL.

Order for Second Reading read, and discharged.

Bill withdrawn.

Whereupon Mr. SPEAKER adjourned the House without Question put, pursuant to the Resolution of the House of the 4th August last.

Adjourned at five minutes after Eleven o'clock.

An Asterisk (*) at the commencement of a Speech indicates revision by the Member.

HOUSE OF LORDS.

Tuesday, 27th November, 1906.

EARLDOM OF NORFOLK.

Committee for Privileges met: Petition of Charles Botolph Joseph, Lord Mowbray, Lord Segrave and Baron and Lord Stourton of Stourton, for the determination of the abeyance of the dignity of Earl of Norfolk in his favour, and for a summons to Parliament as Earl of Norfolk considered. Then it was resolved that the Petitioner hath not made out his claim to the said dignity. Report thereof to be made to the House.

PETITIONS.

TRADE DISPUTES BILL.

Petition for Amendment of; of Aberdeen Chamber of Commerce; read, and ordered to lie on the Table.

RETURNS, REPORTS, ETC.

CONGESTION IN IRELAND.

Report of the Royal Commission appointed to inquire into and report upon the operation of the Acts dealing with congestion in Ireland; report, minutes of evidence, and appendices.

POST OFFICE.

Agreement between the Post Office of the United Kingdom of Great Britain and Ireland and the Post Office of Servia for the exchange of money orders.

TREATY SERIES.

No. 16. (1906)—Convention between the United Kingdom and Hayti respecting nationality; signed at Port-au-Prince, 6th April, 1906. (Ratifications exchanged at Port-au-Prince, 16th October, 1906.)

No. 17. (1906)—Agreement between the United Kingdom and Germany respecting the boundary between British and German Territories from Yola to Lake Chad; signed at London, 19th March, 1906.

Presented (by Command), and ordered to lie on the Table.

MERCHANT SHIPPING ACTS AMENDMENT (No. 2) BILL.

Order of the day for the Second Reading read.

*THE EARL OF GRANARD: My Lords, the Bill which I have the honour of bringing to your Lordships' notice to-day is based mainly on the recommendations of three Committees appointed by the late Government, and I do not think it would be out of place if I were to say how much indebted we were to the Reports of those Committees in framing the present Bill. The Bill is in no way, I think, a contentious one, nor is it one in any way of a party nature. It is an honest attempt of the Government of the day to improve the conditions of the shipping community as a whole. I do not think your lordships will find that the Bill in any way favours any particular class, and I think that I shall be able to show that the Bill helps all those classes who follow the sea as a trade. It will benefit the shipowner by protecting him from unfair competition, it will help the sailor by improving his comforts when at sea, and it also helps that very deserving body of men, the British pilots.

The Bill is the result of numerous conferences held between the Board of Trade and the various interests concerned; nothing has been done without first obtaining the opinion of those interests, and I think that it is mainly owing to these meetings that the Government have been able to frame a Bill acceptable to all parties. In some cases it has not been possible to see the representatives of every class, but when this was the case a copy of the Bill was forwarded to them for their remarks, and some of their suggestions are now embodied in the Bill. The Bill has somewhat grown since it was first introduced into the House of Commons, for then it contained only forty-three clauses and now it contains eighty-five. I sincerely hope it will not grow with equal vigour in your Lordships' House. But most of these new clauses have been suggested by the shipowners, seamen, or by Government Departments.

The Bill is divided into six parts. Part I. deals altogether with safety, and what we propose to do is to extend our safety regulations to foreign ships; these regulations are, compulsory load-line, defective hull, equipment or machinery, proper life-saving appliances, and rules as to the carriage of grain. I do not think that any of your Lordships will take exception to our imposing our load-line on foreign vessels, for at present it often happens that foreign vessels come into our ports carrying 200 or even 300 tons more cargo than our own vessels would be allowed to carry. Surely this is unfair competition. Our ships have to conform to our regulations as to load-line, and surely we can very well say to the foreigner, "If you want to trade with us you must observe our safety regulations." These regulations have certainly been a success as far as we are concerned, for the loss of life in our mercantile marine has been reduced from 4,171 in 1874 to 1,113 in 1904. I have reason to believe that some foreign countries are moving in our direction, and that they will soon introduce regulations of their own dealing with safety.

With regard to overloading, the law at the present moment allows us to detain in our ports a foreign ship which is overloaded or improperly loaded, but we have no power to detain a ship if she is unsafe by reason of defective hull, equipment or machinery. Your Lordships will readily understand that it is somewhat difficult to enforce this provision. Foreign ships have at present no load-line, and if afterwards it is found that we have detained a ship without good cause we are liable to pay damages, and the Board of Trade officials are naturally often rather disinclined to take this risk. We have never had any power to punish a vessel entering our ports, no matter how overloaded she was. By the present Bill we propose to take the same powers that we have over our own ships, and we shall not allow a foreign ship to leave or enter our ports unless she is safe according to our regulations, and considered by us safe to undertake the voyage she proposes to make. Another very strong reason for legislation on this subject is that it often happens that ships which our Board of Trade officials refuse to pass as safe are sold to foreigners and come back to our ports still in an unsafe condition and compete against our own ships. This is a state of things which in my humble opinion should cease, as it will if your Lordships approve this Bill. It is intended to give foreigners a liberal time to consider these proposals, but after the date fixed any foreign ship coming to or leaving our ports must conform to our regulations and carry a marked load-line.

I now come to the question of grain cargoes. These cargoes are certainly of a dangerous character when they are not properly stowed, for they frequently shift and cause a ship to take a list and become very dangerous. We have regulations for the stowage of this class of cargo for our ships and they have certainly worked wonderfully well, for the loss of life from carrying this class of cargo has greatly decreased since they were introduced. We intend to apply these provisions also to the foreigner. The same remark also applies to life-saving appliances, with this exception, that if foreign Governments have rules approximating reasonably to our own we can accept them as alternative. Your Lordships will see that by this part of the Bill we are anxious to place the foreigner on equal terms with our own ships; we do not want him to have an advantage over us, as he appears to have had in the past. I have one more point to state before I leave this part of the Bill, and it has reference to the clause by which we prohibit any foreigner from being engaged on a British ship without a sufficient knowledge of English. I regret to say that of late some accidents have occurred which have been attributed to a sailor's want of knowledge of our language; when orders have been given to him he has not understood them, and the consequences have been disastrous. We, therefore, propose to instruct our superintendents not to sign any foreigner on to a ship unless they are satisfied that he has sufficient knowledge of English and is able to understand the orders given to him in that language, and when a man is engaged it will be marked on his papers that he is sufficiently acquainted with the English language.

I now turn to Part II. of the Bill, which virtually brings the existing law as regards passenger and emigrant ships up to date; for the parts dealing with this subject in the present Act are so very antiquated and were really enacted for ships and conditions which have now long passed away. There is very little to trouble your Lordships with, except to say that by the provisions of the old Act all foreign emigrant ships calling at our ports were obliged to conform to our emigrant regulations; this was not the case as regards foreign passenger steamers calling for cabin passengers only. This, we think, is an anomaly, and we propose to subject foreign passenger vessels to our passenger regulations. So much for Part II. of the Bill.

I now come to Part III., which in my opinion is certainly one of the most important parts of the Bill. It carries out the recommendation of the St. Helier Committee and deals with sailors' food. We propose to introduce a compulsory food scale. I fear that in the past the sailors on some ships were very badly fed. I am not, of course, referring to the average steamship, but there are black sheep in every flock, and I fear that the sailor who had the bad luck to sign on one of these ships had a very moderate time. There was a scale which was known as the Board of Trade scale, but in reality it was nothing of the sort. It was a kind of skeleton scale, upon which the Board of Trade expected shipowners to put the flesh, but it often remained a skeleton, and the fare was salt meat, biscuits, tea, and sugar; this was, of course, very poor, although I am sure very few shipowners gave their men such bad rations as these. But it happened that if a man complained of his food he was told "Well, if you don't like it I will give you the Board of Trade scale," and this as far as the seaman was concerned was like getting out of the frying-pan into the fire. What the St. Helier Committee recommended was that owners should of their own accord settle on a certain food scale and abide by it, and the Committee, which sat in 1903, considered that two or three years should be given to the shipowners to make up their minds. We have now reached the year 1906, and nothing very effective has been done. Consequently, we have decided to bring in a compulsory food scale. Comments have been made that this scale is not as good as the St. Helier scale, but your Lordships must remember that this is a compulsory scale, and is therefore a minimum scale. On a great many ships the men are now fed on a higher scale than we propose. There is another most important clause in this part of the Bill, namely, Clause 26, which deals with the inspection of provisions. At the present moment the Board of Trade officials have only power to inspect provisions on emigrant ships and on long-voyage ships going round the two Capes or through the Suez Canal, and it has been our experience that stores rejected by our officials on these ships have found their way into other ships which are not at present subject to inspection. We propose to stop this by giving our officials power to inspect the stores on any vessel. We say that they may inspect them. Of course, it would be obviously impossible to inspect all ships, as we should require an army of officials to do so, but I feel sure that this regulation will have a salutary effect.

We have been up to now talking of food and inspection of provisions. These are all very good things, but to appreciate them thoroughly we require a good cook, and that is what we propose to give the seamen under Clause 27. After the 30th of June, 1908, any ship going to sea from the home trade limits must carry a certificated cook. There are at many ports now schools of cookery, and I hope soon that they will become more general. As far as the present cooks are concerned they will be given certificates of proficiency provided that they have been acting in that capacity before the passing of this Act; but after the passing of the Act other cooks will have to produce certificates of proficiency from one or other of these schools of cookery recommended by the Board of Trade before being allowed to serve as a cook. I have great hopes that this part of the Bill will have the effect of increasing the number of British seamen on our ships, as I feel confident that if we make the conditions of life of a sailor more comfortable we shall attract more men to take up the sea as a profession. I am glad to say that from the last reports we have to hand the number of foreigners on our ships shows a tendency to decrease.

I should like here to point out how greatly our tonnage has increased since 1870. In that year we had 5,500,000 tons; in 1904 this figure had increased to 10,250,000 tons—very nearly double. It must also be borne in mind that a great increase has taken place in the Navy. In 1864 our Navy consisted of 64,000 men; in 1904 of 129,000 men. I firmly believe that if we were to forbid the employment of foreigners in our ships we should ruin our mercantile marine. I do not think that there are enough men willing to go to sea to man our huge mercantile fleet, for as it is, by returns recently compiled, one out of every thirty-six of our adult population follows a seafaring life. Our carrying trade is enormous; it is 54 per cent. of the trade of the whole world. Many of the ships engaged in it never return to this country for years, and it is very hard, indeed nearly impossible, to keep British seamen on this class of vessel. The question of lascars is often raised, but they, I think, are on quite a different footing. They are British subjects whose profession is the sea. We have virtually destroyed their trade by introducing our large ships into the coasting trade of the East, and I think it would be very hard if we did not allow them to serve in our ships. They make admirable firemen and are well spoken of wherever they are employed.

Part IV. of the Bill, to which I now come, lays down that, in the event of a man deserting, the effects left behind by him can be used for making good to the ship the just expenses caused by the desertion, and the surplus above this sum goes to the Exchequer. This provision was introduced to prevent a master from having any interest in forcing a man to desert. At the present time the effects of the deserter are retained by the ship; a deserter can claim them in a court of law, but he rarely does so. We propose to insist on an account being rendered to a public officer of the effects left behind by each deserter, and the expenses caused to the ship by the desertion. We, however, intend to allow the shipping company to pool all these different cases, and if in the aggregate a company can show us that they are at a loss by the total desertions they will not be required to pay anything into the Exchequer; but if, on the other hand, they lose on some cases and the balance works out in favour of the shipowner that balance must be paid to the Exchequer. We do not want to make money for the Exchequer, but we want to secure that shipping masters gain nothing by the desertion of their men. Another clause is introduced into this part of the Bill amending the present Act. The law at present is that if a sailor receives injury in the service of the ship he shall receive medical attendance and be sent home at the expense of the ship. It was pointed out to us that this section was rather hard in the case of a man who, say, caught malarial fever, for in this case the man had his expenses in hospital and his passage home deducted from his wages; the consequence was that a man often arrived home in a destitute condition. We think this is a hardship, and we propose to make the shipowner liable for the expenses and repatriation of a sailor who contracts an illness which is not caused by his own fault.

I now come to Part V. of the Bill, which contains clauses inserted at the instance of the shipowners, sailors, or Government Departments. For instance, Clause 54 allows a shipowner to deduct from the net tonnage of his ship any spaces set apart for water ballast; this all tends to the safety of the ship, and we think it right to absolve the shipowner from paying dues on these spaces. Again, in Clause 64 we give the shipowner for the first time power to appeal from a decision of a court of inquiry to the High Court.

Now I turn to one or two clauses which are to the advantage of the seamen. For instance, a sailor will not be entered on the ship's books as an A.B. unless he can prove his rating, and the term of service has been reduced from four to three years. Clause 58 is, I think, most important. At present a master can disrate a seaman and reduce his wages without telling him; and it has happened sometimes, when a man is on, say, a two years engagement, that he has been disrated after the first month and had his wages reduced, but he has never been informed of that till the end of the voyage. Thus a man expecting to get, say, £60 at the end of the voyage only gets, say, £40, and has no redress. This we intend to change, and in future no disrating will take effect until after the man has been informed that he has been disrated. By Clause 60 we make it obligatory upon masters in all cases to allow a seaman to allot part of his wages in favour of his near relatives or his savings bank, and sailors will not be asked whether they want to allot until after they have signed on. We also increase the minimum crew space for the men from 72 cubic feet to 120 cubic feet. We also give the seaman or any person aggrieved another advantage—namely, the right to appeal from the finding of a naval court, and this is done by Clause 66. After the passing of this Act we intend to restrict the issue of pilotage certificates to British subjects, but foreigners who have had certificates granted to them before the 1st of June, 1906, will be allowed to retain them.

I have now, my Lords, virtually outlined the main provisions of the Bill, and in thanking your Lordships for the kind hearing you have given me, I do not think I can end better than in the words used by Mr. Austin Taylor, of the Shipowners' Parliamentary Committee, on Friday, the 23rd instant, in another place. He said—

> "This Bill is not a shipowners' Bill, but it is mainly a Bill for improving the conditions of employment at sea and generally regulating and facilitating the management and employment of ships."

With those words I leave the Bill to your Lordships' earnest consideration.

Moved, "That the Bill be now read 2ª." (*The Earl of Granard.*)

LORD MUSKERRY: My Lords, I welcome this Bill as an indication that at last the importance of our merchant shipping is beginning to be recognised. The Government can certainly claim some originality, and, I am bound to say, courage in bringing forward this Bill. But there is no originality in most of the proposals contained in the Bill, for they are chiefly a legacy of the recommendations of certain Committees which were appointed to inquire into shipping matters by the late Government, who, however, did not invite Parliament to consider them.

The Government have been given great praise for the introduction of this measure, and have had no serious opposition to contend with. We had the more confidence because it was said that representatives of the various shipping interests had been consulted prior to the launching of the Bill. But I must say that at least my own confidence has been rudely disturbed in this respect. I put a perfectly reasonable question asking the Government to inform us who these representatives were. Their faith in the representatives they consulted is shown by the fact that they were afraid to tell us who they were. That is not the way to command sympathy and support for a Bill of this kind. As a student of shipping affairs, and as one who knows the views of the great organisations connected with shipping, such as the Merchant Service Guild, I am sorry to say that this Bill only touches the fringe of the serious evils which exist in regard to our merchant shipping. The measure before us looks bulky and comprehensive, but when we know that the Merchant Shipping Act embraces 748 sections with 21 schedules, it is not so comprehensive as it appears, having regard to the magnitude of the subject.

I am sorry to strike a discordant note, but this Bill is a patchwork arrangement, all the most serious rents in the fabric being left severely alone. For instance, there is the question of aliens in our merchant ships—a great national evil, and the only attempt of the Bill to deal with it is to direct our shipping superintendents to require alien seamen to show some knowledge of English as it is spoken in the way of orders on board ship. Aliens will still be free to command and officer British ships, and things in reality will go on in the old way. The President of the Board of Trade said recently that there were 27,000 desertions from British ships in a year. Yet the Bill appears to contain nothing which will check the frightful indiscipline which is disclosed by such a startling statement. From the Memorandum of the Bill as it appeared in another place, I find that its object is to carry out the Reports of three Committees. But why three Committees only, when other shipping committees have made much more important recommendations? It seems to me that there is an air of strong partiality evident, and that the framers of the Bill have simply picked out here and there such recommendations and suggestions as personally appealed to them.

When we travel on the high seas, we do so in the fond belief that those to whom we entrust our lives are fully certificated, competent, and responsible men. I do not doubt but that the vessels in which we travel from time to time are as safe as human beings can make them in this respect; but there are plenty of ships with lives on board of them—and I am not disposed to say lives of lesser importance—which are in charge of uncertificated and quite incompetent men. After searching inquiry into this matter the Manning Committee reported as follows—

> "A ship is in an unseaworthy state when she leaves port without sufficient officers, or with her responsible officers unfitted for their duty by reason of prolonged overwork, and no ship of large size or power should be permitted to go to sea without provision having been made that the deck shall always be in charge of some person who has given proof of his qualification, by service or examinatoin, for such a position."

The Manning Committee decided that this matter was one urgently demanding legislation. There is not one amongst us who could find fault with such a decision, yet it is still an undoubted fact that no matter what the size of the ship may be, so long as she is outside the three-mile limit there is nothing incumbent on her in law to carry one single certificated and competent man on board. This also applies to any vessel in our home trade when not carrying passengers. Where in the present Bill do we see any attempt to grapple with this enormous flaw? Under the Bill cooks are to be certificated, but a similar requirement seems quite unnecessary in the case of the men responsible for life and property. As another sample of how this Bill makes for efficiency in the merchant service we find now that it will be permissible for a man to qualify as an able seaman after two years service——

Lord Muskerry.

THE EARL OF GRANARD: After three years service.

LORD MUSKERRY: I have been reading the clause, and I cannot understand whether the period is two or three years.

THE EARL OF GRANARD: Three years.

LORD MUSKERRY: I accept my noble friend's correction. It is, at any rate, a reduction of the period, for it has always been held by the law that four years was necessary to qualify for such a rating. Then, again, nothing seems to have been done in legalising he recommendations of the Load-line Committee, and in view of the fact that disasters have happened since these recommendations were made I certainly think that the framers of this Bill should have had due regard to them. It is a very regrettable fact that, owing to the exigencies of their profession, the most important class of our seamen—I refer to our captains and officers—cannot obtain direct representation in Parliament. Consequently Parliament lacks the advantage of possessing the views of the men most competent to express opinions on the practical working of our merchant service. In view of this, it behoves us, not only to extend to them what sympathy and help we can, but to ensure that their views as experts are not ignored as is usually the case.

The captains and officers of our merchant service stand to gain little by this Bill, whilst they stand to lose a very great deal. In the case of captains they are to be rendered liable to a number of additional penalties, when under the Merchant Shipping Act their present liabilities in this direction extend to something over £7,000. I think the Government have done handsomely by the shipowners in imposing the safety restrictions on foreign ships, which is a proposal contained in this Bill, and by the reduction of the light dues and the alteration of the load-line, which increases the shipowners' freights by 5 per cent., and, of course, adds considerably to the risk of the lives of those on board. It is rather an illustration of what I am just saying that three steamers whose load marks were altered in August, foundered in the following month, September. One of them—the "Manningtree"—under the new rules was only carrying 95 tons more cargo, but this extra weight seems to have made all the difference between safety and disaster. Fortunately, no lives were lost, but in the case of the "Manningtree" had it not been for the presence of another steamer near her, in all probability all hands would have been drowned. It is, of course, open to consideration whether the extra 5 per cent. freight is worth the increased risk which our sailors have to run.

The seaman will derive some benefits from the measure owing to the enforcement of the scale of provisions, increased living space, and one or two other matters, but the captain and officer stand to gain practically nothing. Much more tangible benefits would accrue to seamen of all grades had such important matters as discipline, hours of labour, Sunday labour on board ship, and others been dealt with in the Bill. For my own part I feel that the Bill is open to so many important and necessary Amendments that to deal with them all is a very heavy task. I have already been informed by His Majesty's Government that the Bill which I introduced regarding alien captains and officers would have been more properly brought forward in the shape of an Amendment to this Bill. Acting on the advice of my noble friends in front of me, I withdrew my Bill in order to follow the course which was indicated. Early in the present session I also introduced another Bill having for its object the prevention of further sacrifice of life through the carriage of dangerous deck loads in the winter time. As I take it that His Majesty's Government would consider that this also should be brought forward in the shape of an Amendment to the present Bill, I propose to adopt that procedure. There are also other Amendments which I propose to move, and I hope that in the interests of both shipping and seamen your Lordships will accord me your support.

This Bill I regard as an attempt to grapple with the situation, but I cannot by any means accept it as a final solution of the great problems which confront us in our mercantile marine. Still, it is a progressive and not a retrograde movement. I feel that I must have wearied your Lordships in so continually bringing shipping affairs to your notice, and, therefore, it is a relief to me now to find them being submitted by others with greater powers than I possess, and who can do so much if they choose. Though I regret to find that, as usual, our captains and officers have received the minimum of consideration, the Bill contains provisions which will benefit their subordinates, and it will be to the great advantage of shipowners in checking unfair competition. Therefore, as I said before, I welcome it as a step in the right direction, and I trust that the Amendments that may be brought forward will receive favourable consideration from His Majesty's Government as coming from practical men, strongly interested in the prosperity of the merchant service. I also trust that we shall be afforded a reasonable time for the consideration of the Amendments that may be brought forward.

*LORD ELLENBOROUGH: My Lords, though I am afraid that I shall find myself in opposition to most of the measures brought forward by the present Government, yet I congratulate them on the Bill that is now before us. I regret, however, that alien captains are still to be permitted to command British seagoing ships, and that the Bill on many points does not give the merchant seaman all that I consider he is fairly entitled to get. If this Bill passes without Amendment, seafaring men will not look upon it as a final settlement of their claims. No provision is made for giving mariners an opportunity of using their votes. In some of the clauses, too, what is given by one hand is taken away by the other.

I am glad to find that this Bill does something towards equalising the conditions of foreign vessels frequenting our harbours with those of British ships as regards unseaworthy conditions and load-line. A great deal of dissatisfaction has been caused by the striking out of certain clauses dealing with the load-lines of foreign ships. The legal and diplomatic difficulties connected with these clauses appear to be insurmountable, but until they have been fully laid before the public, dissatisfaction will continue. Clause 13, requiring that foreigners shipping on board British ships should have some knowledge of the English language, ought to have been made law years ago. Railway guards and engine-drivers occupy positions analogous to those of helmsmen and look-out men. Passengers would cry out loud enough if any railway company were to employ men in those positions who were unable to understand English.

I wish to make it distinctly understood that there are many lines of shipping to which what I am about to say does not in any way apply, in consequence of the good sense of both shipowners and captains, and that the Amendments I intend to move will have little, if any, effect on their relations with seamen in their employ. In short voyage trades most of the men are employed continuously, and are paid at short intervals, whereas in long voyages the reverse is the case, and it is the position of the seamen on board of some of the long voyage ships and not that of those on board of the best lines or on short voyages that I wish to bring before your Lordships. As regards provisioning, I congratulate the seamen of this country on the circumstance that the barbarous pound and pint scale is to be definitely abolished. In future a seaman who makes a just complaint about the quality or quantity of provisions issued to him will not be told that he will be fed as a punishment on this mediæval scale nor be made to suffer from thirst by having his ration of water reduced to ¾ of a gallon for all purposes, whether in the tropics or not. Though the new scale is not so good as that used by some shipowners it is far more wholesome and healthier than the old one.

As the Board of Trade, with the assistance of an Order in Council, can change this scale without consulting Parliament, any defects discovered in practice can be eliminated by that Department, and therefore I shall not touch on the merits or demerits of the different scales recommended by various experts. But I hope that the Board of Trade will from time to time carefully consider the question of equivalents. For instance, there is a scale called the Shipping Federation scale, which is in use on board a great many ships. It is not by any means a bad scale when the provisions are of good quality, but owners and captains sometimes play fast and loose with it by making unfair substitutes, such as issuing an extra half lb. of flour in lieu of the ¼ oz. of mustard, ¼ oz. of pepper and 3 ozs. of raisins. To make plum pudding with ½ lb. of flour in lieu of raisins would, I fancy, be outside the power of any cook, even of the new certificated variety with which merchant ships are to be supplied.

The chief cause of bad provisioning on board some ships is that it is the custom for many shipowners to contract themselves out of the responsibility of feeding their crews, more, I think, for the purpose of saving themselves trouble in account-keeping than for the sake of making a profit. That profit they leave to the contractor. The Australian Royal Commission, at page 77 of its Report, recommends that every ship should show its victualling bill for each voyage, a somewhat stringent measure. There has recently been a correspondence on this subject at page 51 in the July number of the *Nautical Magazine*. I hope that your Lordships will not think me tedious, and that you will allow me to read three short letters that appeared in this magazine, only one of which is anonymous. Captain W. H. Hood, of the s.s. "Trafford Hall," wrote—

> "Sir,—It should be made illegal for shipowners to escape their just responsibility in the matter of victualling and provisioning their ships by deputing it to the master of the vessel, or by permitting a store-dealer to contract to supply the necessary provisions and the person to look after them.
>
> "In the first case, if the master is poorly paid he is likely to try and make some profit for himself out of the provisioning to the detriment of the crew. The second case is quite deplorable, inasmuch as the barest possible will be given by those whose earnings depend upon results, as in the case on those Middlesbrough and Cardiff vessels, provisioned by store-dealers, who supply the steward who has sole control of the commissariat. This individual is placed on the Articles at a nominal wage of 1s. per month, and is therefore beyond the reach of any disciplinary measures (having no wages to

lose), except those of the boot or the fist. His earnings depend upon the result of his economy, as decided by the store-dealer, who pays him accordingly."

From the Marine Superintendent of the Lancashire and Yorkshire Railway Company, Goole, appeared the following—

"SIR,—I am very strongly opposed to any system by which the responsibility of feeding the crew is removed from the shoulders of the shipowners and placed on those of the captain or a contractor. I do not assume for a moment that the captain would not, if made the contractor, endeavour to fulfil his obligations to the utmost, but his duties as captain are too onerous to permit him to pay personal attention to the matter, which, in addition to his lack of experience in catering, makes it necessary that he should leave the work in the hands of others less scrupulous, who undoubtedly in many cases try to make a profit at the expense of the crew. The cabin table does not suffer, the forecastle does! And while discontent is being bred in the ship, apparently through his action, the captain rarely hears of it until it has culminated in acts of open violence.

"It is an unsatisfactory principle in every way —open to great abuse at the expense to those who are least able to retaliate; and I am convinced that statutory powers should be invoked to make it illegal for shipowners to contract out of their obligations in this respect.—Yours, etc., Walter S. Atkin, Com., R.N.R."

A Merchant Service captain wrote—

"SIR,—My own experience may perhaps interest your readers. Some years ago I had the feeding of the officers and engineers—not the crew. If I rightly remember, the allowance was 1s. 6d. per head. Now, I got a fairly good name in the company for my feeding, and yet I made a considerable sum each year; exactly how much I should be ashamed to tell you. But some of the other masters cut it too fine—indeed, so fine that at last the feeding was taken away from us. These good things are always spoilt by greedy beggars who have no conscience. But, mark you! it is necessary to keep on the right side, for no man wants to lose in such circumstances.

I therefore, answer 'No,' to your question It wants a man of the very highest character to act fairly under such conditions, and for most of us, with our meagre pay and a family to bring up, the temptation to 'make a bit' is too great."

I am intending to bring forward an Amendment to the effect that it shall be illegal for a shipowner to contract out of his responsibility for the feeding of the crew, and I hope that the Government will be able to accept it.

As regards the question of seamen's wages, the report of the Australian Commissioners shows that the withholding of wages, on the plea that desertion is checked by so doing, is, on the contrary, one of the chief causes of desertion. With this opinion I entirely agree. I also look on this withholding of money already earned as being the chief cause of the dearth of long voyage British seamen. If seamen and their families cannot get their wages, why should they go to sea at all? There was far more desertion in the Royal Navy when men's lives were made uncomfortable by withholding wages than there is now. At present our blue-jackets are paid once a month when at sea, and once a week when in harbour. The laws and customs under which merchant seamen serve are chiefly those of 1854 I first went to sea in 1854, and I have no hesitation in asserting that if the present seamen of the Royal Navy were to be treated in accordance with the laws and customs then prevailing, the whole Fleet would be in a state of mutiny in less than a month.

Clause 28, dealing with the wages of deserters, is but a slight improvement on the present system. The best way to check desertion is to adopt the drastic plan of making the whole of the property of the deserter forfeit to the Crown. The effects and wages of a deserter should be treated in exactly the same way as if he had died, with the exception that his property should go to the Crown, instead of being handed over to his relations. Forfeiture to the Crown is one thing, but forfeiture to a private person, who often has a financial interest in inducing his employee to absent himself for forty-eight hours, is another. No part of the "premium for desertion" should be allowed to enter the pockets of the employers. If Sections 3 and 4 of Clause 28 are allowed to remain, this part of the Bill will be of little use to merchant seamen. Section 3 of Clause 28 can unfortunately be interpreted in a manner which will render all payments to the Crown nominal. Any captain -- and thank heaven there are only a few—capable of bullying a man out of his ship would be equally capable of sending in an inexact account, incapable either of contradiction or verification. For instance, a captain might say that he went on shore to look for the absentee, that he spent £1 on a shore-boat to land him and another £1 on a boat to bring him off, whereas he may have spent all his time on shore in amusing himself, and have paid nothing whatever for boat hire. Such expenses and similar charges would soon swallow up all that was due to the Crown, and the worst ships would make the most out of such transactions.

There are, I believe, no existing returns from which the amount of wages due to deserting seamen can be calculated. But as it appears that about 27,000 men desert in a year, if the amount due to them is taken at £10 per head, shipowners profit by desertions to the extent of £270,000. In addition to this there is the interest on the money owing to seamen which at present remains in many cases for a year or more in the hands of the owners to be employed in their business, whereas it ought by rights to go into the pockets of the seamen. Against this they have sometimes, but not always, to pay larger wages to the men shipped in lieu of them. If this Bill is a success, these sums will, I admit, no longer reach the shipowner, but he will be recouped by being served by a healthier and better class of men. With your Lordships' permission I will read a few sentences from page 13 of the Australian Report—

> "By practice, as well as by law, the seaman is not entitled to demand his wage until the completion of the voyage, or of the period for which he has engaged. This places him in a position of dependence, and has a most demoralizing effect upon his fortunes and character. No matter what length of time he has been on the ship nor what he may require in the way of clothes or other necessaries, he cannot legally demand one penny. Other workers receive their wages when earned; the seaman, who works harder than most men, is not even entitled to payment at reasonable intervals. When ill-fed, badly housed, and sometimes even ill-treated, and, to crown all, unable to obtain a penny of his wages, it is hardly a matter or surprise if the sailor on such ships succumbs to the deteriorating influences of his environment.
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> "The effect, too, of this practice upon the masters and owners is in some cases not less deplorable than upon the seamen. Evidence was given before the Commission in Newcastle that one master of a vessel trading to that port made it a boast that he had not paid a man for three years. The incentive to unscrupulous masters and employers to connive at desertion, or even to induce seamen to desert, is, under such circumstances, considerable. It is not contended that the practice is general, but that it is not unusual the volume of testimony given before your Commission at Newcastle clearly shows. As this matter is dealt with more fully under the heading of "Crimping," it is not necessary to enter into further particulars here. But it is thought imperative that these conditions should be altered at the earliest possible moment. It is, therefore, recommended that in the foreign-going trade seamen shall be entitled to receive at the expiry of one month from the time of shipment, and thereafter at intervals of a month, at any port where the ship calls for trading purposes, two-thirds of the wages earned by them.
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> "The one possible objection to be urged against such a reform is that it would lessen the hold of the master over the seaman, and so conduce to desertion. We think a careful perusal of the evidence given at Newcastle will show that such an objection is not well founded, and that hardly any alteration of the law can render desertion more prevalent than at present. In suggesting this Amendment, however, your Commissioners are very sensible of a strong opposition which a change of so radical a character will arouse in the minds of those who consider that their interests will suffer thereby. They are, nevertheless, convinced that the proposal is based upon justice, and in accord with common sense. Nor do they consider for a moment that the best interests of the shipowners will be prejudicially affected. Besides, the recommendation is supported by the experience and practice of other nations. For instance, the laws of the United States and Norway provide for the payment of one-half the wages earned; while in Germany a man may claim, after three months, half the wages due to him for that period; or, if on a time engagement, when he returns to the port of shipment, wages earned to that date. The evidence at the disposal of your Commissioners does not disclose any increase of desertions as the result of the adoption of this practice; on the contrary, they are assured that they rarely, if ever, occur.

And at page 8—

> "In some respects the British sailor has been treated as a child, and in others denied the rights of a free man. He has been the special object of legislation. The Merchant Shipping Act has made provisions of a most elaborate character intended to safeguard his interests, but these in most cases have proved a dead letter."

Recollect that the owners get the benefit of the interest of the wages withheld sometimes for more than a year. Sailors sometimes sign for three years, and during that time have no legal right to any pay at all, though the captain occasionally doles out pocket money to them as if they were children. Sometimes, however, he issues clothes to them at a fancy price out of a so-called slop chest, or else he gives them an order on a clothier who supplies them with garments at a price far higher than the sailor would pay if he had cash with which to buy the necessary articles of his kit.

Imagine yourselves at a seaport town, out of the United Kingdom, walking with a foreign friend. You pass a dirty-looking man in rags. "Why is your fellow countryman in rags?" says the friend. You answer, "Because he has received no money for months." "But why is he so dirty?" "Because he has not even money enough to buy soap." "Why has he no money? Is he one of the unemployed?" "Oh dear no! He has done a hard day's work every day for the past twelve months, Sundays included." "Then what on earth is he?" "He is a British merchant seaman, ten thousand times more of a slave than any Chinaman on the Rand. But the treatment that he has received is, strange to say, in accordance with the laws of a country which boasts of its freedom." Try to apply such laws to a miner, a shipwright, or any other working man. Could any of your Lordships get a butler, a housemaid, a cook, or a gardener to enter your service on such conditions? Half the faults of the British seaman on distant stations are due to the irregular manner in which his wages are paid. British seamen are neither better nor worse than other people. They are the natural product of their treatment and surroundings. If men were paid once a month, or nearly so, that disgusting parasite, the crimp, would cease to exist. This Bill when passed will go a very long way towards remedying these cases. But still, in my opinion, it does not go far enough. Among other things the words "a month's wages" should be substituted for "ten pounds" in line 32 of Clause 61. Ten pounds is in many cases three months' wages.

The recently published Return of Allotments (Index No. 124) shows that the intention of the Legislature in 1880 and in 1894, that long-voyage seamen should be able to obtain possession of their own money by making allotments of half their wages to banks, has been frustrated. This document shows that under 9 per cent. of seamen make allotments, but, out of 983,000 agreements, only 276 allotments have been made to banks. If my information is correct, by far the greater number of these were made by petty officers and stewards, and not by *bona-fide* seamen and firemen. That this frustration of the intentions of the Legislature is not the fault of the seamen is clearly shown by the petitions recently sent by them to the Board of Trade from thirteen of our principal ports, asking that allotments of half wages be made compulsory. If the seaman has sufficient opportunities for sending his money home to England, and receives his wages as he earns them instead of being paid in lump sums at long intervals, he will never have enough money about his person to make it worth while for foreign crimps to rob him, and that detestable profession will tend to die out. The Australian Report, at page 17, recommends that, instead of allotments being made to banks, two-thirds of the wages of the seaman should be paid to him whenever the ship touches at any port for trading purposes. Clauses 60 and 61 of this Bill will certainly tend to remedy the grievances connected with wages. I hope that no means will be found of evading them. For instance, if three or four starving men apply for one vacancy the captain may ask, "Which of you may not want an allotment?" To get the berth, one of the men may say that he will not ask for an allotment. Then, after "signing on," when the superintendent asks him if he wants an allotment, he can only say "No," unless he breaks his previous promise; and if he does that he may expect to have a lively time of it with the captain when he gets to sea. In 1880 if the word "shall" had been inserted instead of "may" there would have been many thousands of allotments out of the 983,000 agreements instead of only 276. As it is, that part of the Act has remained a dead letter, and I am afraid that until allotments are made compulsory the laws dealing with them will continue to be evaded.

This Bill and other attempts to improve the condition of the seamen have been attacked on the gruond that they partake of the nature of grandmotherly legislation. But this part of the Bill is for the purpose of rescinding grandmotherly legislation. Can anyone imagine anything more grandmotherly than to withhold wages from the seaman as if he were a little child unfit to have the care of his own money? It is this grandmotherly treatment which is one of the chief causes of the shortage of long-voyage British seamen; for this shortage scarcely exists on home voyages or on the best liners. One of the reasons which has hitherto checked the amount of remittances made by seamen when paid off and discharged in Continental ports has been the charge of 3d. in the £ on all money remitted. Seamen often preferred to carry it home themselves to paying so much money, but unfortunately they often failed to carry out their virtuous intentions. That 3d. in the £ was a most hateful tax, a tax on providence and on family affection. I congratulate the Government on having been able to reduce that charge to 1d. in the £.

Clause 37, section2, says that if a master shall knowingly deliver a false account of the wages due to a seaman left behind he shall for each offence be liable to a fine not exceeding twenty pounds in addition in each case to the payment of the wages. Is not this far too light a penalty for a wilful and deliberate act of swindling? Recollect that a seaman often has more than twenty pounds due to him. As the captain himself keeps the accounts, it will always be very difficult to check his statements as to what may have taken place months previously at a distant port. A month's imprisonment and permanent deprivation of certificate would not be too great a penalty for a man who had disgraced his profession by knowingly delivering a false account of this description. Men who knowingly send in false accounts are a disgrace to the honourable body of master-mariners to which they belong. All professions exclude from practice the black sheep who disgrace them. Barristers can be disbarred, officer cashiered, and solicitors struck off the rolls. If a shipowner was contemplating a swindle he would look down the list of masters convicted of sending in false accounts with the view of finding an accomplice in his schemes. Such men should never be given a magisterial position of authority in command of a ship on the high seas, with no higher power within sight. It is unfair to all on board to be placed under the command of a swindler of this stamp.

Clause 62 of the Bill deals with the housing of the seaman. Unfortunately, what it gives with one hand it takes away with the other. Therefore, it requires amendment. At present a man may be required to live, dine, and sleep, and keep all his belongings, in a space 6 feet long by 6 feet by 2 feet which an Australian witness, referring no doubt to colonial burial laws, has grimly described as—

> "the sepulchral accommodation to which a man is entitled at his own interment."

The Bill raises this cubic space of 72 feet to 120 cubic feet. The evidence in favour of an increase, given before Lord St. Helier's Committee and before the Australian Commission, is overwhelming, but as it is somewhat lengthy, I shall not trouble the House with any of it, unless opposition is made to this increase in Committee. But Section 2 of Clause 62 contains a most objectionable sentence, which I believe was not originally in the Bill; it says that "bathrooms and washing places" may be deducted from the 120 cubic feet proprovided for the seamen, if the old sepulchral accommodation of 72 cubic feet is left to him in his sleeping place. That mess rooms should be deducted from the 120 cubic feet appears to be fair enough, for if the sleeping place be overcrowded, there will always be an overflow into the mess room. But the existence of bathrooms and wash-houses in which few men would spend more time than a quarter of an hour in a day would not prevent overcrowding in the sleeping place. Of course, at sea some men would always be on watch, but even that would not raise the cubic space to the quantity required for health.

Soldiers, I understand, are allowed 600 cubic feet in barracks, regardless of bath-rooms, wash-houses, or the number of men on guard. Lodging-houses are required to give 300 cubic feet. A seaman in the Royal Navy when in a cell under punishment is entitled to a space 6½ feet long and 3 feet broad, which, with a deck 6 feet high, gives him a space of 117 cubic feet, in which he has not got to keep his belongings. If he has the good fortune to be on board that up-to-date ship the "Dreadnought" when he qualifies for cells he will have about double that space to live in. If the words "bath-rooms or washing-places" are allowed to remain in the Bill, one of its principal objects will be defeated, as the more cleanly and disciplined lads brought up on board training ships or in training schools will be far less likely to remain in the merchant service under such conditions. This Bill cannot be looked upon as final if this want of space, one of the chief grievances of the seaman, remains unredressed. I shall therefore move an Amendment to strike the words "bathrooms or washing-places" out of Clause 62. If this House accepts it, I do not think it at all likely that the words will be reinserted in another place. If 72 cubic feet is enough space for a hard-worked man to keep himself and his wet clothes, let other people say so, and let this House have the credit of holding a different opinion.

The present Bill does not touch on the question of lighting and ventilation. Schedule 6 of the Merchant Shipping Act of 1894 says that—

"Seamen's quarters should be properly lighted and ventilated."

The Australian Report declares that these sections of the Merchant Shipping Act have proved ineffective. The responsibility for this should be thrown upon the officers of the ship. A clause ought to be inserted in the Bill requiring that all the iron in the quarters of both officers and men should be completely insulated, not by wooden linings which would harbour dirt and vermin, but by asbestos or cork varnish, in such a manner as to leave no interstices in which insects might congregate. This is done in the Royal Navy. The constant dripping from bare iron is a cause of great discomfort and is very unwholesome. It appears to me that these are questions that the Board of Trade are fully competent to deal with without further aid from Parliament. If this assumption on my part is correct, I should be glad of an assurance from the Government that the Board of Trade will consider these points. If they will undertake to do this, an Amendment dealing with the questions of light and ventilation would appear to be superfluous. In the better lines of steamers the men's quarters are frequently inspected by the officers of the ship, and what we have to do is to level up to them. In some vessels I am told that such an inspection would be resented by the men, and that any officer who entered them would become a target for a marlinspike or a pannikin.

The Merchant Shipping Act of 1894 represents chiefly ideas previous to 1854, when attempts at sanitary regulations for checking the spread of cholera were met with the maxim that, "An Englishman's house was his castle." We have got beyond that on shore, and should get beyond it afloat. The rights and duty of the captain and officers to inspect the men's forecastle should be admitted on board every ship that flies our flag. I am in full sympathy with those who, like the noble Lord opposite (Lord Brassey), wish to train boys to be seamen in the merchant service. But I look upon such attempts as certain to result in failure as long as many of our forecastles remain small and dirty. The very habits of cleanliness and orderliness inculcated at training institutions would cause these boys to look upon their surroundings with disgust, and to take the first opportunity of obtaining other employment on shore.

I congratulate the Government on Clause 71 of this Bill dealing with alien pilots, but I must express my regret that alien captains and seconds in command are not dealt with in a similar manner. There appears to me to be a sort of underlying assumption in our Merchant Shipping Acts that all our ships are commanded by British subjects, yet this is not so. By these Acts aliens are placed in a magisterial position over men of British nationality. That their existence should be tolerated is a blot on the Bill, and I am intending to bring forward an Amendment on the lines of the alien pilot clauses, allowing existing alien captains to continue their service, and permitting them to be temporarily employed on foreign stations so as to prevent British ships being unnecessarily detained in distant ports for want of a navigator. I hope that the Government will accept these Amendments; if not, I shall at all events have entered my protest against the continuance of the present system. If war broke out their being in command of British ships would constitute an additional risk to British commerce. The opinions of the Law Officers of the Crown as detailed by the First Lord of the Admiralty yesterday afternoon, show that it is uncertain whether under all circumstances such alien captains could be tried for high treason, or for communicating official secrets. I take this opportunity of thanking the First Lord for the congratulations personal to myself that he made yesterday, which were so unexpected as to leave me speechless for a time.

I should myself be glad to see some legislation carried which would ensure a preference being given to British seamen when it becomes a question of employing them or foreigners. But on many unhealthy foreign stations, it is for the benefit of the British seamen that kroomen or lascars should be carried. They can bear the heat of sun or stokehole far better than a European, and are also less liable to suffer from fevers. I should be sorry to see none but British-born seamen employed on board ships trading in the Bight of Benin, or in the Persian Gulf. The high wages that would probably be offered to them would be a poor equivalent for a large death rate and ruined health.

As regards Clause 72, I think it a mistake. The local marine boards were doing their work very well and no case had been made against them. At great shipping centres such as Glasgow, Liverpool, and the Tyne, all of which I have recently visited, the local boards have been of use. They were fully competent to deal with their own neighbourhoods, and were a check on over-centralisation. I believe in local government when competent men can be found to administer it. I will conclude by saying that I hope this House will show itself ready to support all reasonable claims of labour, that shipowners will accept my Amendments, so as to do away with legitimate grievances and disarm the trade unions by granting the seaman all that he is fairly entitled to receive, thus weakening the outcry that will certainly be made by Labour Members and others in favour of further legislation in accordance with the recommendations of the Australian Report. Some of the legislation suggested in that Report would, I think, in the face of foreign competition, be ruinous to our trade and injurious to the seamen themselves as tending to lay up ships and reduce employment.

As long as a man can be punished for a two days absence from work by imprisonment and the forfeiture of the wages earned during a year or more, there must be regulations to prevent his being half-starved and ill-treated during such service. We boast that our shipping trade flourishes under present laws, but unfortunately some few shipowners flourish at the expense of long-voyage seamen, who are demoralised by having their wages withheld, and by their unwholesome food and surroundings. Are not these men as much part and parcel of Great Britain as shareholders in shipping companies? Compare the Merchant Shipping Acts with the King's Regulations for the government of the Fleet. The latter book is full of orders dealing with the comfort of the seamen, yet they are not thought grandmotherly. Then have not our men-of-war admirals who inspect ships and keep the captains in order? With payment at regular intervals, sufficient space to live in and clean surroundings, many of the better class of men who now take to other work as soon as they can find it would, I think, remain in the merchant service to the exclusion of the foreigner.

*LORD BRASSEY: My Lords, as a member of the Commission on Unseaworthy Ships, upon whose recommendation regulations as to loading and detention were first established, I desire to offer a few observations. Those regulations were due to the stirring appeals of Mr. Plimsoll. He had a strong case. It was referred to a Commission over which the Duke of Somerset ably presided. Mr. Plimsoll proposed to place our mercantile marine under close and continuous survey, and to guarantee seaworthiness by Government certificates. The Commission reported that such proposals were impracticable. As they pointed out, seaworthiness depends upon the unceasing application of that skill and care which no Government Department can exercise. The Commission held that nothing should be done to relieve the shipowner of his responsibility.

It should be enforced, in cases of disaster, by prosecution, or by taking criminal proceedings. To prevent glaring abuses, some regulations are necessary. All regulations impose charges on the shipowner and place him at some disadvantage in competing with foreign tonnage. It is just that that disadvantage should be removed, as it will be under the provisions of the Bill.

I may, perhaps, be permitted to say a few words on a matter with which this Bill does not deal, but to which the attention of the Commission on Unseaworthy Ships was specially directed. If the law of marine insurance could be so amended as to make it impossible that the shipowner should derive pecuniary advantage from shipwreck we should have the strongest guarantee which legislation can give against recklessness in the management of shipping. Reform is difficult. It was attempted under the late Government by Lord Halsbury. With all the advantage of his authority and influence the Bill did not pass. It may, as the Commission on Unseaworthy Ships recommended, be desirable to begin by inviting foreign nations to concur in framing an international code. The loss of life at sea is diminishing. The over-laden sailing-ships, in which the casualties were lamentable in former years, are diminishing in number. The tables published by the Board of Trade cover a period of twenty-five years. In the first four years, 4,950 lives were lost in sailing ships, foundered and missing. In the four last years covered by the Return the number had fallen to 877. While sailing ships are disappearing, steam ships are growing in size and power, and these changes make for the safety of life at sea.

I turn to Part III. of the Bill. Its provisions will alleviate some of the miseries of the seaman's calling. As a scheme for dealing with the alleged denationalisation of the mercantile marine by the employment of foreigners it will not go very far. The latest Returns show that the number of British persons, which had for many years been diminishing, is now increasing. In the home trade and the fisheries, in ocean liners, and in tramps, not trading with the East, foreigners are comparatively few. They are to be found chiefly in sailing ships in the foreign trade, in which wages are paid on the lowest scale. Lascars are increasing. They are necessary in the trade passing through the Suez Canal into the hottest regions of the globe. On the whole, the position is satisfactory. The aid of the Government is chiefly required in support of some well-considered scheme of training for boys. Several training establishments maintained by private subscription well merit public support. I am glad that the Government have taken a first step by referring the subject to a strong Committee. In conclusion, I suggest that it would be well if some knowledge of first aid to the injured were required on the part of candidates for Board of Trade certificates.

*THE LORD BISHOP OF BANGOR: My Lords, I claim that indulgence which your Lordships always extend to one who addresses you for the first time. I have not that special knowledge of this subject which is possessed by many of your Lordships, but no one could fill the office which I hold without taking the liveliest interest in these matters. In my diocese there is probably the largest amount of sea coast in any diocese in the United Kingdom, and at one time—thank God that time has now passed—there were more wrecks on that coast than in any part of the Kingdom. I have, just in front of the windows of my house, one of those training ships on which good and able men are working with might and main, and with a considerable amount of success, to bring up those, who, if left to themselves, would become dangerous hooligans in our towns, and make them self-respecting God-fearing seamen. Again, I have the advantage of intimate friendship with those engaged in the Missions to Seamen who, more than almost any others, know the real wants and wishes, as well as the hardships, of our sailors.

No one can look at this problem without being struck with its great difficulty. First of all, one must remember that this is a time of intense competition and cutting-down of expenses, and if by our well-meant attempts we do anything to prevent the shipowner getting a fair and legitimate profit we shall drive away the shipping trade from this country and so lessen the employment of British seamen. We have also to contend with the inveterate prejudices, not only of owners and captains, but of seamen themselves, for it not infrequently happens that Jack views with disapproval the very best intentioned efforts of others to add to his comfort. An amusing case was given by the President of the Board of Trade in the speech in which he introduced this measure in another place. He informed the House that several lascars had petitioned that as they had done no wrong to Mr. Havelock Wilson, they hoped Mr. Havelock Wilson would not introduce certain measures adding to their accommodation. That may be taken as only one instance of how those who do not quite understand the sailor may wish to do him good, and yet at the same time receive opposition to their well-intentioned efforts from the sailors themselves.

But, allowing for all those things, it must be admitted that our sailors have a great deal of preventible hardship to undergo. The sea must be a hard life to those who follow it, and really one could hardly, in some instances, wish that it should be otherwise. Everyone is proud of the heroism and endurance of our seamen. There is a certain poetry about their life which we all admire, but there are hardships which we ought to do our best to alleviate and which we could do at little cost. Indeed, we have here a further instance of evil wrought by want of thought rather than by want of heart. I especially welcome in this Bill the provision that food supplied good should not be rendered uneatable by bad cooking. I also agree with the noble Lord who spoke last that ships ought to carry someone trained in ambulance and first-aid work. I have myself listened to pathetic stories of cases where injured men had to remain weeks before their injuries could be surgically treated.

I think His Majesty's Government are to be congratulated on the attempt they are making to reduce desertions. I am convinced that this is a step in the right direction, and that the provision that it should not be to the interest of anyone that seamen should desert is a wise one. One cannot shut one's eyes to the urgency of this subject. In the county in which I live there are fewer men following a seafaring calling than in past years. Thirty years ago nearly every small farmer around the coast was also a good boatman. That is no longer the case, and we find that we have not the same multitude of people to draw from as we had before to man our lifeboats. I can only hope that this Bill, when it goes back from your Lordships' House—in which there are many noble Lords with practical knowledge of the subject, because they themselves have fallen under the spell of the charm of the sea, some of whom are themselves qualified by examination to act as masters of ships—and becomes law, will improve the conditions of life of our seamen and attract fresh recruits to the profession upon which, after all, depends not only the wealth but the very food and nourishment of our country.

THE MARQUESS OF SALISBURY: My Lords, I desire to join with the right reverend Prelate and other noble Lords in congratulating His Majesty's Government, and especially the noble Earl who introduced it, upon the measure which lies before us. The subject, I know, is a most complicated one, and I admired the lucidity and skill with which the noble Earl steered his way through all its difficulties. Undoubtedly the Bill is a very long and complicated one. It does not, however, entirely satisfy the ideals of my noble friend Lord Muskerry. He, as I understand, would like it to embrace even a far larger number of topics than are now dealt with. But, perhaps because for a short time I was in office at the Board of Trade myself, I am tempted to be content with a certain amount of progress at a time and not to defeat the ends either of the Government or of Parliament by asking for legislation on too great a scale on a matter so difficult and complicated.

I do not think the Government would have had much chance of passing this Bill as it is but for the circumstance that it is in nearly all its provisions a legacy from ourselves. That is the most happy position in which legislation can stand. A Bill which has been drawn up by one

Government and introduced by another is likely to be opposed by neither side of the House, and, therefore, there is more probability of such a measure passing into law. I need not add, for this very reason, that I have nothing much to say by way of hostile criticism of the proposals in the measure. On the contrary, I believe that these provisions on the whole will commend themselves to all Parties, and, with certain very small exceptions, to all noble Lords in this House.

Perhaps the matters which have engaged more attention than any others in the discussions on the Bill have been the questions with reference to the load-line. I do not intend to say much on that point on the present occasion, but there has been a certain amount of difference of opinion exhibited in another place as to whether the load-line provisions went far enough in their application to foreign ships. I fully recognise the difficulty the Government have felt in dealing with this subject. The difficulty may be insurmountable; but that only makes it all the more necessary that we should consider whether there is not some other way by which the same end can be achieved. I think that road is indicated by the promise which the Government have made that they will endeavour by negotiation to obtain the assent of foreign Powers to the adoption of a more stringent law on this subject. That, I believe, has been the policy of successive Governments, and I should like to ask the noble Lord the Under-Secretary of State for Foreign Affairs what prospect there is of such negotiations bearing fruit within a reasonable time. It is especially these minor topics in the business of the Foreign Office which are likely to be left out of sight. The Foreign Office are engaged upon topics of enormous importance, and very often these smaller matters are allowed to go on from month to month and year to year without any definite steps being taken to press them on foreign Governments. Yet the matter is one of great importance, and it would be satisfactory to numbers of persons if they knew that some vigorous steps were being taken to press it on the attention of foreign maritime Powers, and to get them to approximate their load-line regulations to those which have been for many years established in this country. I will say no more on that head.

I turn for a moment to the provisions of the Bill designed to raise the standard of comfort of the crew and to increase their safety. Those provisions have been received with universal approval by almost every commentator upon the measure. We were very pleased to hear from the noble Earl that the number of British seamen, according to the last Returns, showed a marked tendency to increase. That is a very satisfactory piece of information. Undoubtedly the problem which is presented of adequately manning the enormous mercantile marine of this country with British seamen is a very formidable one, and I think the noble Earl was fully justified in saying that no better means for solving it could be adopted than that of adding to their comfort and their safety by such provisions as are found in the Bill. Those provisions deal with food, space, wages, medical attendance, and repatriation. I do not, of course, desire to say that these provisions are in all respects perfect. My noble friend Lord Ellenborough called your Lordships' attention to many particulars in which he thought changes might be made for the better, and I suppose there is nobody in your Lordships' House who speaks with greater authority on this subject than the noble Lord. There is also my noble friend behind me (Lord Muskerry), who, I think, has pages of Amendments in his mind, and perhaps already on paper, and which no doubt on a suitable occasion he will explain to your Lordships. But, even as they stand, the provisions for the seamen's comfort are very various, and, I hope, well designed.

I think we must not leave out of account the observations made by the right rev. Prelate, in which he pointed out that it is not only their comfort and safety which must be sought, but also that their character should be raised by means of training on ships and in schools such as he himself is interested in. As I have said, these provisions are very numerous and go a considerable distance. I think there is a danger lest we should go too far. It is quite right to do everything possible to add to the comfort of our seamen and to maintain their safety, but in a great profession like the merchant service some danger is involved if too heavy a burden is laid upon those who are responsible for its conduct. Just as we do not desire to discourage seamen from entering the profession, so we do not desire, on the other hand, to discourage capital and the energy of capitalists from being employed in the merchant service; and there is no doubt that if we were led into imposing too great burdens upon that service we might in the long run do more harm than good. Moreover, in imposing restrictions in the interests of seamen and in passing legislation in the interests of shipowners, we must not forget the interests of other persons concerned. Your Lordships will be aware that considerable attention was drawn to this particular matter in another place, and it was pointed out in the House of Commons that, as the Bill stood the provisions made in respect of space and the calculation of tonnage were likely to affect adversely the interests both of pilots and dock owners. I think I am right in saying that some sort of compromise was arrived at on this point in the other House and that the Government were willing to abandon part of their original provisions, whilst, on the other hand, those who spoke on behalf of the pilots and others were willing to go a certain way to meet them, in order that part of the burden involved in these changes should rest on themselves as well as on the shipowners. If that be true, and if that compromise was agreed upon, I have no doubt your Lordships would be unwilling to disturb it.

There is one other direction in which, I think, there is danger of doing too much. I refer to the question of the marine boards, which has interested a great many people in certain parts of England. I should not like to claim to speak with any competence on this point. Possibly after the noble Earl has explained the matter to your Lordships, it may be found that the policy of the Government in this respect is fully justified; but, speaking *prima facie*, it certainly seems to me that the change was rather uncalled for. The Government appear to have thought that it was of great importance in the interests of the seamen that they should have assistance when they appear before the superintendents in the questions which have to be tried before that tribunal in the matter of wages and so forth. That has an outward semblance of fairness, and no doubt commands superficially a certain amount of support; but, as a matter of fact, I am informed that the seaman's friend in whose interest this appears to be brought forward is generally a very undesirable person indeed, and that the only effect of this provision, which is advanced, no doubt, with the very best intentions, will be to put those individuals known by the name of crimps in a far more powerful position than they are at present. I, therefore, rather regret that the change was introduced. That feeling of regret was shared vehemently by the marine boards themselves, who resisted the change to the very best of their ability. The only thing they got from this resistance, which I suspect was in the public interest, was that the Government in another place put in a provision by which they to a large extent abolished the power of the marine boards in so far as the superintendents are concerned. If, as I think, the marine boards took the action they did in the public interest, it was rather unfortunate and bad policy that the Government should have taken the opportunity of this Bill, which is otherwise quite non-contentious in the broad sense of the word, to attack the marine boards. Taking a broad view, we must all admit that the Bill is a very good Bill, and I think both His Majesty's Government and the country are to be heartily congratulated on its introduction into your Lordships' House.

LORD LYVEDEN: My Lords, in rising to say but a very few words on this Bill, I ask for that indulgence which your Lordships always extend to those who address you for the first time. As I have had some practical experience in the mercantile marine, perhaps a few remarks from me might not be out of place. I listened to the observations of the noble Earl in charge of the Bill, and I thoroughly agree with all that he said in moving the Second Reading. I was also glad to hear that my noble friend Lord Muskerry does not regard the Bill as a bad one. I have had the opportunity of speaking to owners, captains, and seamen, and they have all told me that they thoroughly like the Bill, and think it is the right thing in the right place. If it is passed, men will go to sea under conditions which have never before obtained, and the cry of a "hungry ship" will be no more. I am perfectly certain, therefore, that all those who follow the sea will believe that the words of Dibdin have again come true, and that Mr. Lloyd-George in another place and Lord Granard here, like the little cherub that sits up aloft, have looked after the needs of poor Jack.

*THE UNDER-SECRETARY OF STATE FOR FOREIGN AFFAIRS (Lord FITZMAURICE): My Lords, the favourable reception which this Bill has received does not make it at all necessary, I think, that at this stage any prolonged statement should be made in reply to the friendly criticisms which have been made; and in regard to those criticisms, such as they were, dealing essentially with matters which relate to the Board of Trade, I think that in all probability it will be more natural that my noble friend who introduced this Bill in what I think has been generally acknowledged to have been a very able speech should reply.

But the noble Marquess opposite, Lord Salisbury, made an appeal to me in regard to certain matters which relate not merely to the Board of Trade but also to the Department which I represent in your Lordships' House. I allude more particularly to what he said in regard to the establishment of an international load-line. That, I am sure, is an appeal which must find a ready response in the heart of every member of your Lordships' House, for it would be impossible to conceive of any international decision which could be of greater benefit to humanity than the consent of all the great maritime nations to one load-line. It is perfectly true, as in all these cases, that the negotiations on these questions are to a certain extent in the hands of the Foreign Office, but in this matter there is a more than divided responsibility between the Foreign Office and the Board of Trade, because upon the opinion of the great advisers of that important Board the real decision depends far more than upon us at the Foreign Office. Subject to that observation, I may state that the question has not been at all lost sight of, and that at this moment we have made some satisfactory progress in negotiations, especially with Germany, in regard to this matter, and also with Norway; and in regard to another Power with which we have very friendly relations—Spain—the adoption by them of the same load-line as we have is, I hope, a matter which will be secured in the not distant future. I can assure the noble Marquess that the matter is not being at all lost sight of.

I may further remind him that sub-section (b) of the first clause of this Bill distinctly puts what I may call a premium upon engagements of this kind, because it to a certain extent may be said to enable this country to exempt from the regulations and penalties which otherwise are imposed on foreign vessels the vessels of any country which can show to the satisfaction of the Board of Trade that they have adopted regulations for a load-line of equal value to that which will exist under this Bill. That, indeed, is not altogether new, for I may remind the noble Marquess that in Section 445 of the old Act of 1894, which was in itself a great consolidating measure, the first step in that direction was taken. I was glad indeed to hear what fell from the noble Marquess, and I am quite convinced that it is far more desirable to move in the direction of attempts to secure agreements of this kind with the great commercial Powers of the world than to attempt to extend the purview of our laws and regulations outside our own immediate territorial jurisdiction, because any attempt of that kind would be quite ineffectual.. How, I venture to ask, would it be possible, supposing even that it was desirable, to enforce in an English Court rules and regulations in regard to a state of things which might have existed in a foreign harbour outside our own jurisdiction or even upon the journey of the ship to this country? It would be a matter of criminal jurisdiction, and the proof of any such offence outside our jurisdiction would in itself be most difficult. Bearing in mind that in criminal law you must have not merely surmise, but exact proof before you can expect a Court to condemn a man, it stands to reason that to attempt in an English Court to convict on such uncertain evidence would be practically useless.

But, apart from that, I must point out that any such attempt would raise very difficult questions of international law, because if there is any well established principle of the law of nations it is that a nation must confine the law relating to its own subjects to its own territorial jurisdiction, or to its own subjects beyond that jurisdiction. No nation must assume to punish the subjects of a foreign State for an offence committed against the laws of that nation outside its own jurisdiction. Any attempt to bring pressure on foreign nations to alter their own law and to penalise them until they altered their own law with regard to what happens in their own ports would be a distinct attempt to violate the principle which I have tried to sum up in these few sentences. Therefore, it was with great satisfaction that I heard from the noble Marquess that it was not to these attempts that he looked to obtain agreement. He realises, in fact, that it is not to the pressure of legislation in matters which our legislation really cannot touch that we must look to obtain real progress in this direction. For that reason I welcome what fell from the noble Marquess, and I can assure him that he may be quite certain that both the Foreign Office and the Board of Trade will act in the spirit of his observations.

*LORD NUNBURNHOLME: My Lords, I wish to say a few words on this Bill as a practical shipowner. I made it my business to get to know the feeling of those concerned on the main points of the Bill, and I have the authority of the representatives of the seamen to say that they are perfectly satisfied with the provision with regard to food. That really is almost the most important provision in the Bill. One noble Lord has said that we shall not have any more "hungry ships" going to sea—a very practical way of looking at it.

But there is one point upon which I am not perfectly satisfied. I refer to the interference with foreign ships. Why are we to interfere with them? It must be either for the protection of life or property. Protection of life is a matter for their own countrymen, and protection of property appears to me to be principally a matter for the underwriters I will explain how you may cause irritation and difficulty in this matter. For a great many years the mercantile marine had a load line, when suddenly the Board of Trade found that that load line was entirely wrong. I telegraphed to Hull to-day to ask what had been done in regard to the alteration of the load line, and one firm—perhaps your Lordships may imagine it is my own—replied that 4,365 tons had been added to the dead-weight capacity of the fleet by the new load line. But if the load line in the past had been inflicted on foreign shipping we should have been doing them an injustice. We do not know what injustice we may do by interfering with their own regulations. And what does it bring in? It brings in a word that has been favourably received by noble Lords on the Opposition side of the House—the word "retaliation"; and what is more open to retaliation than the British mercantile marine? I am chairman and vice-chairman of companies owning 150 steamers at the present time, and I know the jealousy there is in every country of our mercantile marine. We cannot be too careful. We have nothing to fear from foreign ships. Statistics, which I do not propose to go into, show that our mercantile marine has increased in spite of every effort of other countries. I know very well how foreign competition comes in, and I wish to give this warning—interfere as little as possible with foreign shipping and do not provoke retaliation. There is another provision which I do not like to see in the Bill. Masters are made liable in twenty-one cases to heavy fines for misdemeanour. What does misdemeanour mean? I do not quite know, but I know what the fine is. It is from £2 up to £500. This is rather a criminal way of treating masters of British merchant ships, and I hope the Board of Trade will consider the matter and make this provision less hard upon them.

There is going to be put upon the British mercantile marine by this Bill a tax which is not inflicted on foreign merchant navies. I should think that this measure, especially with the increased food scale, will cost the British mercantile marine an extra £100,000 a year at the least, and, in view of the increased burden thus imposed on the shipping industry, I hope the Board of Trade will help the shipowners in return by placing the light dues on the National Exchequer. I know a great many of the difficulties attending the British mercantile marine, and my advice to the Board of Trade is, leave it alone as much as possible, and also do not attempt to legislate for foreign shipping; leave them severely alone. It has been satisfactory to hear two noble Lords on the Opposition side express sympathy with the sailors, and perhaps not the same sympathy with the shipowners, but may I, in entirely approving of their kindliness to the sailor, say that my practical knowledge makes me feel that it is sometimes somewhat sentimental and not practical.

THE FIRST LORD OF THE ADMIRALTY (Lord TWEEDMOUTH): My Lords, I think I might just state the facts in regard to the alteration of the load line which took place last year. By the Act of 1894 the Board of Trade had power to fix a load line after consultation with the various registering authorities, but the Act also provided, in sub-section (4) of Section 438, that in any modification of the load line the Board of Trade should have regard to any representations made to them by any corporation or association for the survey or registry of ships for the time being appointed or approved by the Board of Trade. Since the load line was originally settled there have been great improvements in shipping and the class of ships have been greatly improved. It was thought right to make a change in the position in which the load line was put on the ship, and the change was made with the full concurrence of Lloyds' and the other registering associations whose consent was required, and it is believed, greatly to the advantage of the shipowners of the country.

*LORD NUNBURNHOLME: It is quite correct that there has been an immense improvement in modern steamships, but the altered load line applies also to the very old steamers.

LORD GLANTAWE: My Lords, having had experience in connection with shipping, and being a member of one of the principal trusts in the United Kingdom, I desire to congratulate the Government on having brought forward a Bill which, in all the circumstances, is an honest effort to meet a great want and difficulty. There are undoubtedly very many points in it of a practical nature that are capable of Amendment. Other Amendments may also be introduced judging from the interview which the President of the Board of Trade had with the dockowners of the United Kingdom, who suffer great hardships from the mode in which the tonnage of ships is registered. The present state of affairs is unfair to dockowners and also unfair between shipowner and shipowner, and I hope the President of the Board of Trade will see his way to amend the Bill in that particular.

On Question, agreed to.

Bill read 2ª accordingly, and committed to a Committee of the Whole House on Tuesday, the 11th of December next.

House adjourned at twenty minutes before Seven o'clock till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS.

Tuesday, 27th November, 1906.

The House met at a quarter before Three of the Clock.

PETITIONS.

BETTING AND GAMBLING.

Petition from Lambeth, for legislation; to lie upon the Table.

DIN, NIZAM.

Petition of Nizam Din, for redress of grievances; to lie upon the Table.

EDUCATION (PROVISION OF MEALS) BILL.

Petition from Strood, against; to lie upon the Table.

LAND VALUES, TAXATION, &c. (SCOTLAND) BILL,

Petition from Glasgow, against; to lie upon the Table.

PARLIAMENTARY FRANCHISE.

Petition from Hornsey, for extension to women; to lie upon the Table.

RETURNS, REPORTS, ETC.

CONGESTION IN IRELAND (ROYAL COMMISSION).

Copy presented, of Report of the Royal Commission appointed to inquire into and report upon the operation of the Acts dealing with Congestion in Ireland (Report, Minutes of Evidence, and Appendices) [by Command]; to lie upon the Table.

TREATY SERIES (No. 16, 1906).

Copy presented, of Convention between the United Kingdom and Hayti respecting Nationality. Signed at Port-au-Prince 6th April, 1906. Ratifications exchanged at Port-au-Prince, 16th October, 1906 [by Command]; to lie upon the Table.

TREATY SERIES (No. 17, 1906).

Copy presented, of Agreement between the United Kingdom and Germany respecting the Boundary between British and German Territories from Yola to Lake Chad. Signed at London, 19th March, 1906 [by Command]; to lie upon the Table.

QUESTIONS AND ANSWERS CIRCULATED WITH THE VOTES.

Increased Wages in Dockyards.

MR. E. H. LAMB (Rochester): To ask the Secretary to the Admiralty whether he can now give definite particulars of the various increases, so long promised to the employees in His Majesty's dockyards, and the date when such increases will take effect?

(*Answered by Mr. Edmund Robertson.*) Detailed instructions are being communicated to the dockyards to-day.

SIR JOHN BENN (Devonport): To ask the Secretary to the Admiralty whether he is aware of the anxiety among those engaged in the Royal Dockyards to know the allocation of the increase in wages, the total of which was announced before the recess; and whether he will be able to issue the new schedule at an early date.

(*Answered by Mr. Edmund Robertson.*) Detailed instructions are being communicated to the dockyards to-day.

French and German Naval Shipbuilding Programmes.

MR. MITCHELL-THOMSON (Lanarkshire, N.W.): To ask the Secretary to the Admiralty what are the names of the battleships building in France and Germany, or sanctioned by the respective Parliaments of those countries on the 30th November, 1905.

(*Answered by Mr. Edmund Robertson.*) The names of the battleships building or sanctioned on 30th November, 1905, are as follow:—Germany—Building:" "Lothringen," "Deutschland," "Pommern," "Hannover," "Q." "Schlesien." Sanctioned: Of the eighteen battleships sanctioned by Fleet Bill, 17 are "substitute ships," and one additional to be known till date of launch as "S." Otherwise they are unnamed. France—Building: "République," "Patrie," "Démocratie," "Justice," "Liberté," "Verité." Sanctioned: "A. 15," now "Danton," "A. 16" now "Voltaire," "A. 17," now "Condorcet."

Failure of Longford Potato Crop.

MR. J. P. FARRELL (Longford, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the potato crop this year is a total failure in County Longford; and whether he will direct the Board of Agriculture to prepare a Return at once of the areas most seriously affected, with a view to providing the same with new seed before the season for setting comes again.

(*Answered by Mr. Bryce.*) I have received Reports from both the Local Government Board and the Department of Agriculture to the effect that the potato crop in Longford, though under the average, is not a total failure. The Local Government Board have not, so far, found reason to fear that the partial failure of the crop in Longford will seriously affect the condition of the people. The circumstances of the people will, however, be carefully watched, with the view of considering whether any special measures of relief may be necessary.

Treatment of Female Salvationists at Widnes.

MR. SEDDON (Lancashire, Newton): To ask the Secretary of State for the Home Department whether he will inquire into the treatment of two female members of the Salvation Army by the Widnes police, who forced them to wash in the presence of three police officers, notwithstanding protests made by the women.

(*Answered by Mr. Secretary Gladstone.*) On making inquiry into this matter I am informed by the chief constable that the detention of these prisoners in police cells was due to their having declined to surrender themselves at the police station at a time when they might have been taken straight to prison. It is true that when at the police station they washed their hands and faces in the presence of two constables; but they made no complaint or protest about this, but, on the contrary, thanked the police for the consideration that had been shown them.

The British Exhibits at the Milan Exhibition.

MR. HALPIN (Clare, W.): To ask the Secretary of State for the Home Department, if the British Executive Commissioner to the Milan Exhibition will furnish a Report as to the results of this Government's participation, and if a detailed statement will be published dealing with the expenditure of the £10,000 appropriation given by the late Government, and what steps were taken by the British Commission to have Irish industries adequately represented; if any Irishman was a member of the Commission, or if Ireland was represented on the international jury of awards; if a Return will be given as to the number of Irish industries represented; if the nomination of jurors was made with a due regard to fitness; if those who acted as jurors were British subjects and connected with industrial enterprises; if it is the intention of the Government not to make further grants for exhibition purposes until after a Report is made by the Commission appointed to report on the subject of exhibitions; and if the Report will be laid upon the Table of the House.

(*Answered by Mr. McKenna.*) I am informed by the President of the British Commission for the Milan International Exhibition, Sir Albert Rollit, that a Report as to the results of the Government's participation and a detailed account and statement dealing with the expenditure of the £10,000 Grant-in-Aid has been kept and will be furnished to the Government by the Commission in due course. Measures were taken by the Commission to secure an adequate representation of Irish industries. The Commission communicated with the Department of Agriculture, etc., Ireland, and with all the leading Irish industrial houses, and approached a large number of firms through the personal good offices of the Italian Consul-General at Dublin and the Consul at Belfast; they also employed a leading firm of exhibition agents to endeavour to gather a representative Irish exhibit. The success achieved was only very moderate. The Commission paid all expenses connected with the Irish exhibits, with the exception of those of only one exhibitor. The following Irishmen (and possibly others) were members of the international jury:—Admiral C. P. Fitzgerald, A.I.N.A., Mr. J. Sebastian Barnett, teacher. But in the nomination of juries the principle of nationality as within the United Kingdom was not followed, and in most cases was not known. The Irish industries and business houses, etc., represented, included:—Carpet-making and rope-spinning—Benada Abbey Technical and Lace

School, Tubbercurry, county Sligo; St. Louis Convent, Carrickmacross, county Monaghan; Youghal Lace Industry, Youghal, county Cork; Dun Emur Guild, Dundrum, county Dublin; the Belfast Ropework Company, Limited, Belfast. The nomination of jurors was, of course, made with full regard to fitness. Of the forty-two jurors for Great Britain thirty-eight are known to be British subjects; one (if not two) of the others is an Italian expert long resident in England, who may have been naturalised (inquiry will be made on this point), and one a Japanese expert. Practically all the jurors were connected either directly or as experts or otherwise with industrial enterprises. At the present time I am not in a position either to say that no grant will be made for exhibitions pending the Committee's Report, or that, when the Report is received, it will be considered necessary to lay it upon the Table of the House.

JURORS.

Admiral C. P. Fitzgerald, A.I.N.A.	
T. E. Gatehouse, F.R.S.E., A.M.I.C.E., M.I.E.E.	Editor, *Electrical Review.*
E. H. Godfrey	Royal Agricultural Society of England.
F. D. Green	Merchant and Shipowner.
Dr. Otto Hehner	Consulting Chemist, Public Analyst.
A. E. Hight, A.M.I.C.E.	Indian Public Works Department, (retired).
E. J. Hill, A.I.N.A.	Consulting Engineer.
Sir Thomas Brooke Hitching	Common Council City of London, Alderman L.C.C., etc.
Fred King	Assistant Manager of Lombardy Light Railways.
J. Q. Le Pelley	Merchant.
E. St. J. Mildmay	Barrister.
H. R. Miller	Assurance Agent at Lloyds, Director of United Kingdom Mutual Steamship Assurance Association.
A. Nathan	Director of Ironworks.
Edward P. Nathan	Mechanical Engineer.
G. R. Palmer	Director of Palmers, Limited.
A. P. Parker	Mechanical Engineer.
Charles Pavia	Juryman Earl's Court, 1888, Edinburgh, 1890; President of the Italian Jury, Earl's Court, 1904.
M. H. Rafferty	Egyptian Civil Service.
W. F. Reid, F.I.C., F.C.S.	Consulting Chemist, Technical Adviser to the Aero Club.
Sir Albert K. Rollit, D.C.L., L.L.D.	
B. J. Rose	Civil Service, Commercial Intelligence Department, India Office.
C. de G. Sells, M.I.C.E., M.I.M.E., M.I.M.A.	Consulting Engineer.
J. D. Stuart Sim	Civil Service, Chief Registrar of Friendly Societies.
C. M. Stanley	Merchant.
Captain A. S. Thomson, C.B.	Trinity House.
C. E. Town	Commercial Education Department, London Chamber of Commerce.
L. Harrison Townsend	Architect.
J. H. Towsey	British Consul, Milan.
J. B. Wimble	Shipowner.
Dr. Yoshioka	Japanese Commissioner, Technical Expert in Fisheries.

JURIES

A. M. Alexander, M.I.C.E.	Managing Director of the Thames Iron Works.
Percy Bennett	Commercial Attaché, Vienna and Rome.
J. Sebastian Barnett	Teacher.
A. C. Campbell	Vice-President of the British Chamber of Commerce in Italy.
H. Canziani	Civil Engineer.
Rev. H. T. Cart	Clerk in Holy Orders.
E. D. Carver	Merchant.
T. Howard Colls	Builder.
Conrad W. Cooke, M.I.E.E.	Scientific Expert.
R. G. Corbet	Press Correspondent.
Captain L. S. Denny, K.D.G.	Underwriter at Lloyds.
George Davidson	Merchant.

Suggested Naval Station at Hobart, Tasmania.

Lord R. CECIL (Marylebone, E.): To ask the Secretary to the Admiralty whether the Government will consider the desirability of utilising Hobart, Tasmania, as a permanent naval station.

(*Answered by Mr. Edmund Robertson.*) I have nothing to add to my reply to a previous Question from the noble Lord on 5th November.

The Colonies and the Merchant Shipping Bill.

Mr. HARMOOD-BANNER (Liverpool, Everton): To ask the Under-Secretary of State for the Colonies whether he has considered the provisions of the Merchant Shipping (No. 2) Bill, with a view of applying its provisions for the safety of human life to all ships, both British, Foreign, and Colonial, sailing from ports in the Crown Colonies.

(*Answered by Mr. Churchill.*) As I informed the hon. Member yesterday, as soon as the Merchant Shipping Bill is passed the Secretary of State will communicate with the Colonial Governments on the question of applying some or all of its provisions in the Crown Colonies.

American Cotton Trust.

Mr. FIELD (Dublin, St. Patrick): To ask the President of the Board of Trade whether he is aware that, owing to the decline in American cotton due to an organised bear raid in options and futures on behalf of American and British gamblers on the United States and Liverpool Cotton Exchanges, the American planters have started a trust scheme, under the name of the Southern Cotton Company, with an authorised capital of £2,000,000, with the privilege of increasing it to £20,000,000, in order to fight these capitalistic syndicates as well as for cornering cotton; and, if so, will he say what steps the Government intends to take to checkmate this American trust, in view of its effect upon the Lancashire cotton and allied industries, and the thirteen millions of workpeople directly and indirectly dependent upon them.

(*Answered by Mr. Kearley.*) The Board of Trade have seen reports to the effect that a scheme is being organised in America by persons interested in the Southern Cotton Association to regulate the price of cotton by means of storage and gradual sale. Developments in connection with the scheme will, of course, be carefully watched, but the Board do not understand that the Lancashire cotton trade are at present greatly alarmed.

Wages of Irish Customs Outport Watchers.

Mr. FIELD: To ask the Secretary to the Treasury whether he can see his way to increase the minimum wages of the outport watchers of His Majesty's Customs in Ireland to 24s. a week, with fourteen days' annual leave and full pay during illness.

(*Answered by Mr. McKenna.*) The wages and other conditions are the same for the watchers at outports in Ireland as in Great Britain, and they are thought to be quite adequate for the work.

Reformatory and Industrial Schools—Recommendations of Departmental Committee.

Mr. HARMOOD-BANNER: To ask the Secretary of State for the Home Department whether any provision will be made in the Estimates for the forthcoming financial year with a view to carrying out such of the recommendations of the Inter-Departmental Committee on the Provision of Funds for Reformatory and Industrial Schools as do not require legislation; and whether, in the case of the recommendations affecting day industrial schools, an early opportunity will be taken to amend the law in the direction required.

(*Answered by Mr. Secretary Gladstone.*) This Report is still under consideration, and I cannot make any announcement at present with regard to it.

Child Insurance and Child Mortality.

Sir WALTER FOSTER (Derbyshire, Ilkeston): To ask the Secretary of State for the Home Department whether any legislation under consideration in reference to child insurance and child mortality will also deal with the subject of death certification generally, on the lines recommended in the Report of the Select Committee of 1893.

(*Answered by Mr. Secretary Gladstone.*) I fear I am not in a position to make any statement with regard to legislation of the kind referred to by my right hon. friend; but I doubt whether the subject of death certification generally would be germane to a Bill whose object was to place restrictions on child insurance. I understand, however, that my right hon. friend the President of the Local Government Board thinks that such a Bill might properly deal with the registration of still-born children.

Arming of Battleships.

Mr. NIELD (Middlesex, Ealing): To ask the Secretary to the Admiralty what ships are armed with the 12-inch gun, mark X; also on what date this mark was finally adopted by the Admiralty as the standard 12-inch gun; and further, whether the guns of this class now mounted in the "Dreadnought" were originally destined for the armament of one or more of the ships now under construction or completing for sea.

(*Answered by Mr. Edmund Robertson.*) It is not considered desirable in the public interest to give information as to the particular mark of guns supplied to ships.

Religious Tests for Teachers—Name of Training College.

Mr. WARDLE (Stockport): To ask the President of the Board of Education whether he will consider the advisability of directing local education authorities to omit the question from their forms of application for head and assistant teacherships which seeks to ascertain the name of the particular college in which the applicant was trained, seeing that such training colleges are mainly of a denominational character, and the question partakes of the nature of a religious test.

(*Answered by Mr. Birrell.*) I think it would be undesirable that I should attempt, in the manner suggested in the Question, to fetter the discretion of local authorities as to the steps they may find it desirable to take for satisfying themselves as to the educational qualifications of candidates for teaching posts in their schools. To know something of the educational record of the candidate while he was a student in a training college is one of the most useful means available for gauging the candidate's powers of work and intellectual attainments, quite apart from religious questions.

Contracted Out Schools—Compensation to Teachers for Decrease of Salary.

Mr. WARDLE: To ask the President of the Board of Education whether, in the event of a school being contracted out of the supervision of the local authority, and the teachers of such a school declining to serve under the managers of that school at a less rate of remuneration than that provided by the local authority, will such teachers be able to obtain compensation for loss of employment, and, if so, from whom; and whether, if they continue to work under the managers of such school for a lower salary than that provided by the scale of the local authority, they will be able to obtain compensation from the local authority for such loss of salary.

(*Answered by Mr. Birrell.*) The Answer to the Question would seem to depend mainly upon the action taken hereafter by the Board of Education under the two concluding lines of Section 5 (4) of the Bill, and I would ask the attention of the hon. Member to the Answer I gave on 24th July to the hon. Member for Christchurch.† But in any case it would be highly improper for me to pronounce an opinion now as to the probable decision of the Board of Education in the event of such a question arising for decision as that suggested by the hon. Member, which, under Section 27 (2) of the Bill, the Board of Education would have to adjudicate upon hereafter judicially.

Milk Warranty.

MR. GIBBS (Bristol, W.): To ask the hon. Member for South Somerset, as representing the President of the Board of Agriculture, whether his attention has been drawn to the case of "Watts *v.* Stevens," and what steps it is proposed to take to remedy the hardship imposed upon milk vendors by that decision, since when they have been obliged to protect themselves by insisting on a warranty with each churn of milk obtained from the farmers.

(*Answered by Sir Edward Strachey.*) The attention of the Board has been called to the case to which the hon. Member refers, but they are advised that the decision does not render it necessary that each churn or consignment of milk should be accompanied by a warranty. The Board do not think that farmers will experience any practical difficulty in furnishing written evidence of warranty sufficient to satisfy the requirements of milk vendors consequent on the recent decision.

Expenses of Dublin Metropolitan Police.

MR. FIELD: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware of the dissatisfaction amongst the ratepayers in the Dublin metropolitan district respecting the charges levied for the support of the Dublin metropolitan police; whether he is aware of the disproportion which exists in regard to the ratio of police and the population and of the expense in Dublin as compared with cities in Great Britain; and whether he will inquire into this matter and arrange that the control and payment of the Dublin metropolitan police shall be managed by the local authority as it is in Great Britain.

(*Answered by Mr. Bryce.*) I was not aware that there is any general dissatisfaction among the ratepayers in the Dublin metropolitan police district in regard to the charges levied for the support of the Dublin metropolitan police. The charge may, no doubt, be higher than that in many cities in Great Britain, but I understand that even in these cities the ratio of police and population to expense differs widely, and it would, therefore, be impossible to make a comparison between Dublin and these cities generally. I am informed that the Dublin metropolitan police is modelled on the similar force for London, the Acts of Parliamen relating to it being based upon those affecting London; and neither of the forces is under local control. No change in the system could be effected without legislation, and I am not prepared to say that the change suggested by the hon. Member is desirable.

Revision of Voters' Lists at Bray and Rathmines.

MR. FIELD: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that at the revision of the voters' lists, which took place at Bray on 22nd September, the sitting opened at 10.15 a.m. and the court was occupied until 12.20 reading the jurors' list; that during this time claimants and voters who had been objected to came into Court and many had to go away without being heard; and that the lists contained 2,916 names and the number of objections to be considered was 774, exclusive of official objections; and whether he will arrange that due time will be given next year—at least two days and one night sitting—to properly revise this district.

(*Answered by Mr. Bryce.*) I have referred this Question to the county court Judge, who informs me that the revision sessions at Bray took place on

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† See (4) *Debates*, clxi., 1021.

22nd September. There was a day sitting, which lasted from 10.15 a.m. to 5 p.m., and a night sitting from 6 p.m. to 9.30 p.m. The county court Judge states that by the close of the night sitting the cases of all voters and claimants who were in attendance had been disposed of, and he has no reason to believe that any claimant had to leave without being heard. He publicly expressed his willingness to continue the revision on any subsequent days if necessary, and was prepared to give as many day or night sittings as might reasonably be required. The political parties were represented by solicitors and agents, and no suggestion in favour of an adjournment was made to the Judge, who understood that all parties were satisfied that the revision should close. The question as to the number of sittings to be arranged is one for the county court Judge to decide, but I gather from his statement that he is prepared to arrange as many day and night sittings as may be necessary to dispose of all the cases.

Mr. FIELD: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware of the inconvenience caused in the Rathmines revision court this year; and whether, seeing that nearly one-half of the voters in South Dublin reside within the Rathmines polling district, that in the other half of South Dublin five revision courts are held, and in addition a portion of South Dublin is revised in Bray, and three revising barristers are employed in this work, he will arrange that at least another revision court shall be established next year in Rathmines.

(*Answered by Mr. Bryce.*) I have not been made aware that any inconvenience was caused in the Rathmines revision court this year. I have no information as to the number of voters in the Rathmines polling district, but, taking the population as a basis, the ratio of the voters in Rathmines and the remainder of South Dublin would be as two to five. Five revision courts in addition to Rathmines are held in South Dublin, and ten revision courts in North Dublin, and three assistant revising barristers are employed to assist the permanent revising barrister in the revision for the whole county. The permanent revising barrister informs me that the establishment of a second revision court at Rathmines would, in his opinion, be inconvenient to all persons engaged in the revision. The matter, however, is one for the decision of the Lord-Lieutenant in Council, and if any of the persons interested desire the establishment of an extra revision court, they should proceed by memorial to the Lord-Lieutenant, when the matter would be fully considered.

Irish Land Purchase Applications.

Mr. NIELD: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether applications under The Land Act (Ireland), 1903, for the sale of properties to tenants, and which have been lodged as far back as November, 1904, have not yet been declared or dealt with; whether, if this be so, what is the reason for the delay which has taken place; and whether he will cause immediate steps to be taken to ensure a decision being announced at an early date.

(*Answered by Mr. Bryce.*) I am informed by the Estates Commissioners that all applications lodged by vendors up to November, 1904, by which proceedings were originated before them for the sale of lands under The Irish Land Act, 1903, have been considered by the Commissioners, and, save as to two cases, the Commissioners have, in their discretion, provisionally declared, or refused to declare, the lands to be separate estates for the purposes of sale. As to the two cases excepted, in one case no purchase agreements have been lodged by the vendor, and in the other the map which accompanied the originating application did not correspond with the map originally furnished by the vendor to the Commissioners. In the latter case the vendor has been repeatedly requested to explain the discrepancy, but up to the present has failed to do so.

Turbary Rights on the King-Harman Estate at Linear.

Mr. J. P. FARRELL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that Patrick M'Keon, a tenant on the King-Harman estate at Linear, has been refused the sale of his holding unless he would accept same without the turbary rights to which he is entitled; whether he is aware that M'Keon has been for years deprived of turbary on this property; and what action he proposes to take, seeing that the estate is now before the Estates Commissioners.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that no proceedings for the sale of the estate upon which Patrick M'Keon's holding is situate appear to be pending before them.

Sale of the Macauly Estate, North Longford.

MR. J. P. FARRELL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland to state the present position as regards the sale of the Macauly, North Longford, estate; whether the inspection has yet been concluded and the schedule approved; and what action the Estates Commissioners have taken to preserve the turbary rights of the tenant.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that they are unable to trace any proceedings for the sale of the estate in question.

Irish Poor Law Commission—Government Action.

MR. J. P. FARRELL To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the Longford, Granard, and Mohill Boards of Guardians have passed resolutions approving of the recommendations of the Vice-Regal Commission on Irish Poor Law, and calling upon Parliament at once to give effect to the same; and what action the Government propose to take, and when.

(*Answered by Mr. Bryce.*) I have received resolutions to the effect stated, but, as I have said in reply to previous Questions, the Report of the Commissioners will require very full consideration, and I do not anticipate that I shall be in a position to state the intentions of the Government on the subject for some time to come.

Purchase of the Dopping (Derry Cassay) Estate, North Longford.

MR. J. P. FARRELL: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any offer has been made to the Commission to purchase the Dopping (Derry Cassay) estate in North Longford; if the Commissioners have approached the landlord with a view to a sale which will include the restoration of the twenty-five evicted tenants on this property; and, if not, will they now undertake to do so.

(*Answered by Mr. Bryce.*)—The Estates Commissioners inform me that no proceedings for the sale of the estate mentioned appear to have been instituted before them. The Commissioners have not yet been able to inquire into the applications of the evicted tenants, but this will, of course, be done.]

Sale of Colonel Digby's Estate at Ballinacuna, County Westmeath.

MR. SULLIVAN (Westmeath, S.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that, some months ago, negotiations commenced between Colonel Digby, of Ballinacuna, Moyvore, county Westmeath, and his tenantry for the sale of his estate to them; that a bargain was effected, but that, owing to the landlord's refusal to reinstate some evicted tenants on his property, the sale has not been completed; that the evicted farms are now let on the eleven months system to a large farmer who refuses to restore them to the evicted tenants, although he was offered full compensation for any loss or improvements on the lands through the Estates Commissioners; and if he will bring this case before them, with a view to a sale of the lands amongst the poorer tenants and the restoration of the evicted tenants to their old holdings.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that no proceedings for the sale of this estate have yet been instituted before them, and they have no knowledge of any negotiations which may be proceeding between the landlord and tenants. The Commissioners have, however, received applications from five evicted tenants for reinstatement on the estate, and have referred these applications to their inspector for investigation.

Preservation of Lough Erne Fisheries.

MR. FETHERSTONHAUGH (Fermanagh, N.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether any arrangements have been made with the Conservators of Fisheries in the Erne district for contribution by the Crown, as the owner of the bed and soil of Lough Erne, towards the preservation of the Erne Fisheries.

(*Answered by Mr. Bryce.*) I am informed that the local Board of Conservators are in correspondence with the Commissioners of Woods and Forests with a view to securing the Commissioners' co-operation in the protection of the Lough Erne Fisheries. The Commissioners have asked that the Conservators should put forward a definite proposal on the subject, and the matter is to be further considered at the next meeting of the Conservators.

Sale of the Crosbie Estate, Ballyheigal.

MR. FLAVIN (Kerry, N,): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state when the agreements entered into by the tenants on the Crosbie Estate, at Ballyheigal, were filed with the Estates Commissioners; and when will the lands be vested in the tenants.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that the purchase agreements in respect of this estate were lodged with them in June, 1904. The vesting of the holdings in the tenants has been stayed pending the decision of the Judicial Commissioner on a question as to the legality of adding arrears of rent to the purchase money of a holding.

Untenanted Land on the Estate of Lindsay Talbot Crosbie, at Ardfert.

MR. FLAVIN: To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he can state what amount of untenanted land is on the estate of Lindsay Talbot Crosbie, at Ardfert, the tenanted portion of which has been sold to the tenants; and whether the untenanted land has been offered to the Estates Commissioners in conjunction with the sale of tenanted land; and, if not, will he say why this has not been done.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that the property to which the originating application refers includes 849 acres of untenanted demesne land which the vendor desires to sell to the Commissioners and repurchase from them. The application also sets forth certain portions of the townlands of Ardfert, Ballinprior, and Scrillagh, which the owner does not propose to sell, by reason of their consisting of a village, rabbit warren, with gamekeeper's residence and land attached thereto, and a private residence respectively. The Commissioners have not yet come to a decision upon the application.

Sale of the Estate of R. E. Longfield, at Fort Middle, county Limerick.

MR. O'SHAUGHNESSY (Limerick W.): To ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say whether the agreements signed by tenants on the estate of R. E. Longfield, at Fort Middle, in the county of Limerick, have yet been lodged; whether two tenants on the estate who have refused to accept the terms of purchase will be bound by the action of those who have purchased, without their holdings being inspected by the Estates Commissioners; and when will the lands be vested in the tenants.

(*Answered by Mr. Bryce.*) The Estates Commissioners inform me that purchase agreements in respect of this estate were lodged with them in August, 1905. The Commissioners will, in due course, inquire into the cases of the tenants who have not signed purchase agreements. An inspection will take place, but the Commissioners are not at present able to say when.

Excess Staff of the Veterinary Department of the Irish Board of Agriculture.

MR. DELANY (Queen's County, Ossory): To ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he proposes to take any steps to check the influx of redundant clerical hands into the Veterinary Branch of the Irish Agricultural Department, seeing that the number of persons at present on the staff is seriously in excess of that actually required; and can he say whether the present Committee of Inquiry into the affairs of the Department will take special cognisance of the Veterinary Branch with a view to locating the responsibility for this anomaly.

(*Answered by Mr. Bryce.*) I am informed that no influx of the character indicated is in progress. The clerical staff of the Veterinary Branch was some time since strengthened by the addition of five junior clerks, and by the transfer from another branch of a clerk formerly connected with the Veterinary Branch. This augmentation was rendered necessary by a general increase in the work of the branch, together with developments in connection with the enforcement of sheep-dipping and the regulations as to horse importations. The Department do not consider that the staff of the branch possesses any unnecessary margin of strength. If a substantial permanent decrease of the work of the branch should occur, a corresponding reduction in the staff will be made. I am not aware that the question of the number of junior clerks employed in a particular branch of the office is one which would engage the attention of the Committee of Inquiry.

Pay of Colour-Sergeant in Militia and Line Battalions.

MR. FETHERSTONHAUGH: To ask the Secretary of State for War whether, according to the Army regulations, a colour-sergeant receiving 3s. 6d. daily pay in a line regiment can be, without his own consent, posted to be colour-sergeant of a Militia staff, and thereby have to serve at a lower rate of pay than he would get in his own battalion; if so, are colour-sergeants posted to Militia battalions by way of punishment; and how much less pay per day would a colour-sergeant posted to the Militia receive under the present regulations than if he were allowed to remain in his own battalion.

(*Answered by Mr. Secretary Haldane.*) A line colour-sergeant is liable to compulsory transfer to the permanent staff of the Militia as a colour-sergeant, but this course is rarely resorted to. In the absence of a non-commissioned officer volunteering for this appointment the vacancy is filled by the promotion of a line sergeant or a sergeant of the permanent staff. Colour-sergeants are not posted to the permanent staff as a punishment. Their pay is 6d. a day less than a line colour-sergeant.

QUESTIONS IN THE HOUSE.

Employment of Retired Lieutenants, &c., from the Ranks.

*MR. BRAMSDON (Portsmouth): I beg to ask the Secretary to the Admiralty whether their Lordships will consider the advisability of discontinuing the future employment of retired lieutenants from the ranks and of retired commissioned warrant officers in the Royal Navy in dockyard and other Home billets, and, if necessary, of enlarging the number of active service officers of the ranks referred to, with a view to the employment in future as vacancies arise in connection with the positions named of active service officers only instead of retired officers.

THE SECRETARY TO THE ADMIRALTY (Mr. EDMUND ROBERTSON, Dundee): It is the practice of the Admiralty to appoint men in the active service to nearly all the dockyard and other home billets referred to in this Question. In certain appointments, however, it is considered desirable that the duration of tenure should be greater than the conditions of the service would permit were the holders on the active list. In such cases, therefore, retired officers, or officers nearing retirement, are appointed to these posts. With regard to the second part of the Question, no enlargement of the establishment would be necessary even if it were decided to confine all these appointments to active service officers, the numbers being already sufficient to allow of their employment in the positions referred to were it considered desirable.

Greenwich Age Pensions.

*MR. BRAMSDON: I beg to ask the Secretary to the Admiralty if he will state the average age of the men receiving Greenwich age pensions in the years 1891, 1895, and 1906, and say out of what funds the increased amounts paid in respect of these age pensions for the two last-named years have been provided.

Mr. EDMUND ROBERTSON: The approximate average age in 1891 was fifty-nine; in 1895, fifty-six; at the present time, sixty-three. These average ages refer only to men who have not belonged to the Seamen Pensioner Reserve; ex-members of that Reserve have always received pensions from Greenwich Hospital funds at the age of fifty-five. The increased amount available for Greenwich Hospital pensions in 1895 was provided partly by an increase in the rent paid from Naval funds for the use of the hospital buildings for the purposes of the Royal Naval College, and partly by the restoration of a grant of £16,000 formerly made to Greenwich Hospital from the Consolidated Fund, for which provision is now made in the Navy Estimates. The increased amount now available was provided by a further increase in the rent paid for the Royal Naval College.

H.M.S. "Dreadnought."

Mr. BELLAIRS (Lynn Regis): I beg to ask the Secretary to the Admiralty whether he is aware that accurate particulars of the design of the "Dreadnought," built in Portsmouth dockyard, appeared in the German Press several months before the ship was launched; that particulars appeared in a London technical journal on 26th May, 1905, or fourteen months before the details were communicated to Parliament, giving the exact armament, speed, displacement, horse-power, nature of machinery, and other important ideas embodied in the ship; and will he say whether, in the case of the submarines built in private establishments to the order of the Government, any leakage of information respecting their design or the fact of their being constructed took place.

Captain HERVEY (Bury St. Edmunds): May I ask whether it is in the interests of the nation that the Admiralty should answer "yes" or "no" as to the accuracy of newspaper articles, and whether it is not much better that foreign nations should be left in doubt as to the accuracy of these statements?

Mr. EDMUND ROBERTSON: I am inclined to agree with the principle of the question of the hon. Gentleman opposite. So far as I am aware, none of the statements published in the German Press were accurate in all important particulars. The statement containing details in regard to the "Dreadnought" in the London technical journal referred to proved to be a not inaccurate forecast. There is no reason to believe that there has been any leakage of information in regard to the design and construction of submarines.

Mr. BELLAIRS: Will the right hon. Gentleman state whether it is the fact that there was no inaccuracy whatever in the *Engineering* article, and whether important information concerning the "Dreadnought" was communicated to the Press while all information was refused to this House up to 26th July?

Mr. EDMUND ROBERTSON: I have no knowledge of any communication to the Press.

Mr. BELLAIRS: Then I must refresh my right hon. friend's memory. Is he aware that a pamphlet was issued by the Admiralty before the launching of the "Dreadnought," containing important information with regard to the vessel and marked "private"—I have it in my hand—and with the statement that it was for the use of the Press, but not to be quoted verbatim?

Mr. EDMUND ROBERTSON: Perhaps the hon. Gentleman will hand me a copy of that pamphlet.

Lord BALCARRES (Lancashire, Chorley): Will the right hon. Gentleman consider the propriety of taking proceedings under the Official Secrets Act?

Mr. EDMUND ROBERTSON: I am not aware that there has been any breach of the provisions of that Act.

Portsmouth Repairing Harbour.

Mr. BELLAIRS: I beg to ask the Secretary to the Admiralty whether the Board propose to commence the new entrance lock to the repairing basins at

Portsmouth this financial year, seeing that a sum of money for its commencement has already been voted.

MR. EDMUND ROBERTSON: It is not intended to commence the construction of this lock entrance during the present financial year.

MR. ARTHUR LEE (Hampshire, Fareham): Can the right hon. Gentleman give any reason for the delay in proceeding with this very important work?

MR. EDMUND ROBERTSON: The matter is being considered.

MR. KEIR HARDIE (Merthyr Tydvil): In view of the many men out of work in Portsmouth, cannot the Admiralty at once put the work in hand?

MR. EDMUND ROBERTSON: I do not think it would be possible to commence it this year.

MR. BRAMSDON: Do the Admiralty really contemplate undertaking the work?

MR. EDMUND ROBERTSON: Yes, it is in contemplation.

Coaling Stations—Hobart.

LORD R. CECIL (Marylebone, E.): I beg to ask the Secretary to the Admiralty whether the Government will consider the desirability of utilising Hobart, Tasmania, as a permanent naval station.

MR. EDMUND ROBERTSON: I have nothing to add to my reply to a previous Question from the noble Lord on 5th November.

LORD R. CECIL: As I did not put the Question, perhaps the right hon. Gentleman will send me a copy of the reply.

MR. EDMUND ROBERTSON: Certainly.

Distribution of the Fleet.

MAJOR ANSTRUTHER-GRAY (St. Andrews Burghs): I beg to ask the Secretary to the Admiralty whether the sea-going squadrons are to be reduced by six first-class battleships and four armoured cruisers, thus reducing the battleships at sea in full commission from thirty-two to twenty-six, and the cruisers from twenty-one to seventeen, and the first line of defence by one-fifth.

MR. EDMUND ROBERTSON: I have nothing to add to the replies which I have already given to the hon. and learned Member for the Walton Division of Liverpool on 14th November, and to the hon. Member for Brighton on 31st October.†

MR. ARTHUR LEE: Will the right hon. Gentleman consult his colleagues with regard to the advisability of issuing a fuller and reasoned explanation of the recent change of policy in view of the fact that the very brief statement made to the Press has, as I think the right hon. Gentleman knows, been very much misunderstood? If the right hon. Gentleman would do so, it would greatly relieve him of criticism.

MR. EDMUND ROBERTSON: I will consider that.

SIR GILBERT PARKER (Gravesend): May I ask whether the Admiralty consider that a ship not in full commission, but belonging to the Home Fleet, is as available and useful as a part of the striking force as a ship in full commission?

MR. EDMUND ROBERTSON: I do not think I can answer that question at a moment's notice. It is the belief of the Admiralty that the redistribution will add to the striking force of the Fleet.

The Disturbances at Portsmouth Naval Barracks.

MR. DALZIEL (Kircaldy Burghs): I beg to ask the Secretary to the Admiralty whether the attention of the Admiralty has been drawn to the fact that important questions relating to the antecedents of Lieutenant Collard were ruled out by the court-martial sitting at Portsmouth, and whether the Admiralty consider that the ends of justice can possibly be served by the exclusion of such questions; and what action, if any, the Admiralty propose to take with regard to the sentence of five years penal servitude passed on the prisoner.

MR. EDMUND ROBERTSON: I have received from my hon. friend private notice of this Question. I have also had similar notice from the hon. Member for Merthyr Tydvil. In reply to both hon. Members, I have to say that the official Report of the court-martial has not yet reached the Admiralty. It is expected to-day. When it is received it will have to be examined by the Judge-Advocate of the Fleet before it is considered, as it must be considered, by the Board of Admiralty. It will therefore be impossible for me for some days to come to make any statement in regard to what took place before the court-martial or as to the action which the Admiralty propose to take.

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† See (4) *Debates*, clxiii., 1098; clxiv., 1482.

Mr. DALZIEL: Do I understand the Admiralty recognise that their hands are perfectly free to revise any sentence passed by the court-martial?

Mr. EDMUND ROBERTSON: Yes; that is a matter of course.

Mr. LEA (St. Pancras, E.) asked whether the order, "Down on the knee," was printed or published in any of the Admiralty regulations; and if it was not, whether the right hon. Gentleman would order that it should not be given to any man or boy in the Navy. It was an improper order.

Mr. EDMUND ROBERTSON: I think I may safely appeal to the House in this matter. Until the judicial proceedings are exhausted, and they are not exhausted yet, any statement that could possibly prejudice them ought to be avoided by me.

Mr. J. WARD (Stoke-on-Trent) asked whether the Admiralty decided the order in which the cases should be tried.

Mr. EDMUND ROBERTSON: No, Sir.

Mr. J. WARD: It was entirely the court-martial?

Mr. EDMUND ROBERTSON: The proceedings, so far as I know, are in charge of the Judge-Advocate of the Fleet. He has full responsibility for the order of the proceedings.

Mr. SWIFT MACNEILL (Donegal, S.) asked whether the Admiralty made an order that the men should be tried by court-martial and the officers by a Court of Inquiry.

Mr. EDMUND ROBERTSON: No, Sir, that is wholly false. The proceedings began by a Court of Inquiry. There was a Court of Inquiry in the case of the only officer whose conduct was impugned.

Mr. DALZIEL: Was that Lieutenant Collard?

Mr. EDMUND ROBERTSON: Yes; there was a Court of Inquiry in the case of Lieutenant Collard.

Mr. DALZIEL: What was the result?

Mr. EDMUND ROBERTSON: I cannot say.

Mr. DALZIEL: Has it come to a conclusion?

Mr. EDMUND ROBERTSON: That is one of the points on which a pronouncement might be prejudicial to the course of justice.

Mr. SWIFT MACNEILL asked whether the right hon. Gentleman was aware that Lieutenant Collard refused to answer a question on the ground that he was himself under trial. Was he not tried by a Court of Inquiry as distinguished from a court-martial?

Mr. EDMUND ROBERTSON: No, Sir.

Sub-Target Apparatus.

Mr. GODFREY BARING (Isle of Wight): I beg to ask the Secretary of State for War whether the War Office have yet come to a decision as to the supply of the sub-target apparatus as an article of equipment for battalions.

The FINANCIAL SECRETARY TO THE WAR OFFICE (Mr. Buchanan, Perthshire, E.): No, Sir, the matter is still under consideration.

An HON. MEMBER: Is the right hon. Gentleman aware that a battalion which has this apparatus has come out top in Army rifle shooting?

Mr. BUCHANAN: I am aware of that.

Army Cattle Slaughtering in Egypt.

VISCOUNT CASTLEREAGH (Maidstone): I beg to ask the Secretary of State for War if his attention has been called to the method of slaughtering cattle for the use of the British troops in Egypt by bleeding and slitting their breasts open so that they take from five to ten minutes to die; will he make inquiry from the Army Service Corps officers, who have to superintend these cruel operations in the public abattoir at Alexandria and elsewhere, and endeavour to have more humane methods adopted.

MR. BUCHANAN: The cattle in Egypt for the use of the troops are slaughtered according to the custom of the country and the method approved by the Egyptian authorities. Inquiries are being made from the General Officer Commanding with regard to the circumstance referred to by the noble Lord.

MR. ARTHUR LEE: Has the attention of the hon. Gentleman been directed to the report of the Inter-Departmental Committee on the "Humane Slaughtering of Animals," upon which the War Office was represented, and which laid down certain methods to be adopted in Army and Navy Establishments? Will he see that those methods are universally enforced in the cases of meat supplied to the Army?

MR. BUCHANAN: We have no control over the Egyptian authorities in this matter.

SIR HOWARD VINCENT (Sheffield, Central): Have you not authority over the contractors?

MR. BUCHANAN: Not in a foreign country like Egypt.

SIR HOWARD VINCENT: Then is Egypt a foreign country?

Militia Garrison Artillery.

*MR. COCHRANE (Ayrshire, N.): I beg to ask the Secretary of State for War how many companies of Militia Garrison Artillery have been invited to accept the new conditions of service involving their conversion into ammunition train for the regular artillery in time of war: whether the officers commanding have been informed that in the event of their not accepting the new arrangements their corps will be disbanded; what has been the nature of the replies received; and whether there is reason to believe that the estimate of 12,000 men are available.

MR. BUCHANAN: No offer has yet been made to the Royal Garrison Artillery (Militia) as regards their conversion into Royal Field Artillery (Militia).

Spithead Forts.

SIR FREDERICK BANBURY (City of London): I beg to ask the Secretary of State for War if he will inform the House if he proposes to let one of the Government forts near Spithead.

MR. BUCHANAN: Yes, Sir, it is proposed to let one of these forts which is not used for the purposes of defence.

Command Pay.

MR. SMEATON (Stirlingshire): I beg to ask the Secretary of State for War whether, seeing that under Army Order No. 131, issued on 1st July, 1905, command pay at the rate of 1s. 6d. a day is granted to command officers of infantry depots, and seeing that the duties and responsibilities of the eight commanding officers of artillery depots are much heavier than those of the infantry commanding officers because of the greater number of men in their depots, the horses, harness, and equipment, he will sanction the same concession of 1s. 6d. a day to these eight artillery commanding officers, and will include a provision of £220, which is all the concession will cost the Treasury, in next year's Estimate to meet the charge.

MR. BUCHANAN: I am glad to be able to inform my hon. friend that command pay, at the following daily rates, has been sanctioned from 16th November, 1906, to the officers in actual command of depots of Royal Artillery. Depot of Royal Horse or Royal Field Artillery, 2s. daily. Depot of Royal Garrison Artillery, 1s. 6d. daily.

Recruitment of Labour for the Transvaal Mines.

*MR. MACKARNESS (Berkshire, Newbury): I beg to ask the Secretary of State for Foreign Affairs whether he is aware that the refusal of the Portuguese

Government to afford facilities for recruiting in Portuguese territory in Africa to the Robinson group of mines is interfering with the experiment of employing white labour on a large scale in those mines; whether he has information that the mine owners of the Witwatersrand Native Labour Association have been influencing the Portuguese authorities in their refusal to help the Robinson mines; and, if so, what further steps His Majesty's Government propose to take to prevent the mine owners in question from continuing to impede the employment of white labour.

THE UNDER-SECRETARY OF STATE FOR THE COLONIES (Mr. CHURCHILL, Manchester, N.W.): It is not correct to say that the Portuguese Government has refused to grant facilities to the Robinson group of mines. As explained by the Secretary of State in another place, certain difficulties have arisen which have caused delay, but negotiations are proceeding and the Portuguese Government has expressed a desire to meet the wishes of His Majesty's Government. Under these circumstances it may be hoped that any attempt to interfere with any experiment for the employment of white labour will be frustrated.

*MR. MACKARNESS asked whether it was not a fact that on July 31st the hon. Gentleman himself stated that the Portuguese Government had met His Majesty's Government more than with diplomatic promptness, and that orders had been actually given to the Governor-General of Mozambique to give these facilities to the Robinson group. What influence had intervened to make these orders nugatory?

*MR. CHURCHILL: A misunderstanding appears to have arisen. The licence for which we made an application to the Portuguese Government was intended to be an effective licence to enable another body of mines to have equal facilities with those enjoyed by the Robinson group. But it was construed to be a licence applicable only to the particular gentlemen in whose name it was granted; and as it was impossible for a single individual to carry out the work of a recruiting agency, we have been forced to the conclusion that the licence did not carry out all that we hoped would follow from it.

MR. LYTTELTON (St. George's, Hanover Square) asked whether the hon. Gentleman would lay Papers upon this subject.

MR. CHURCHILL: I will ask the Secretary of State for the Colonies whether he will allow Papers to be laid, though I think it would be better to await the termination of the negotiations now in progress before laying Papers on the subject.

Mr. Bucknill's Report.

SIR W. EVANS-GORDON (Tower Hamlets, Stepney): I beg to ask the Under-Secretary of State for the Colonies whether he can give the dates upon which the hon. Member for South Berkshire was allowed to see and make extracts from Mr. Bucknill's confidential Report.

MR. T. L. CORBETT (Down, N.) asked whether the hon. Member for South Berkshire, on asking to see the report and to make extracts from it, stated that he would show it only to his own friends, and whether it was given to him on that condition.

MR. CHURCHILL: Statements have been made fully on other occasions, and the hon. Member knows how the misunderstanding arose, for a misunderstanding undoubtedly it was.

MR. T. L. CORBETT said the Prime Minister had stated that he was not aware that any such condition had been made or accepted.

MR. CHURCHILL: If the hon. Gentleman will read the Answer I gave a week ago,† which contains a statement on the authority of the Secretary of State for the Colonies of the part taken in this matter by the private secretary to the Secretary of State for the Colonies, he will see that his Question is fully answered. In reply to the hon. Member for the Stepney Division, I understand that the hon. Member for South Berkshire had access to the Report on 31st October, 1st November, and 2nd November.

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† See (4) *Debates*, clxv., 392 *et seq.*

MR. SWIFT MACNEILL (Donegal, S.) asked whether the ex-Colonial Secretary had asked to see the Report.

MR. CHURCHILL: No request has reached us from the right hon. Gentleman. We shall be quite ready to submit the Report to him if he wishes it.

MR. LYTTELTON: May I say it is not my habit to ask to see documents which have been declared by the Prime Minister in the House to be private and confidential?

Opuim in the Transvaal.

DR. RUTHERFORD (Middlesex, Brentford): I beg to ask the Under-Secretary of State for the Colonies whether, in view of the fact that the recent Transvaal Ordinance only allowed each coolie opium on the prescription of the medical officer of the mining company, there is any widespread disease in the compounds requiring opium for its treatment.

MR. CHURCHILL: I do not know the extent to which opium is found to be medically required, but will make inquiry.

DR. RUTHERFORD: I beg to ask the Under-Secretary of State for the Colonies whether, in view of the recent edicts of the Chinese Government to suppress the opium traffic in China, His Majesty's Government will annul the Transvaal Ordinance introducing opium into the compounds, more especially in view of the Bucknill Report.

MR. CHURCHILL: No, Sir.

In reply to Mr. MACKARNESS, who was understood to inquire if this provision was not opposed by the unofficial element of the Council which passed the Ordinances.

MR. CHURCHILL: The whole matter is now the subject of inquiry. I have expressed the opinon that *prima facie* the amount of opium allowed to be used is in excess of what is needed for *bona fide* medical purposes.

Native Races and the Alcoholic Evil.

MR. GULLAND (Dumfries Burghs): I beg to ask the Secretary of State for Foreign Affairs whether His Majesty's Government have been requested by the United States Government to join in submitting to other Governments a proposal to prohibit by treaty the sale of intoxicants and opium among uncivilised races; and, if so, whether His Majesty's Government will join in such a proposal.

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS (SIR EDWARD GREY, Northumberland, Berwick): I can make no statement about the intentions of the United States Government in the matter; it is for them, and not for us, to do so. The attitude of His Majesty's Government towards the whole question has been defined by the Secretary of State for India in a speech in this House during the present session. I need only repeat that His Majesty's Government will regard with sympathy any proposal which will result in diminishing effectively the consumption of opium.

MR. SLOAN (Belfast, S.) asked if the right hon. Gentleman was aware that a mission was being carried on in this country on this subject, and if he had received Resolutions from any meetings held in connection with it.

SIR EDWARD GREY: I will inquire, but it would not be an official communication if it came from a private individual.

Immigration of Aliens.

SIR W. EVANS-GORDON: I beg to ask the Secretary of State for the Home Department whether aliens who support the plea of being political refugees by statements that they have been personally concerned in and guilty of murderous outrages abroad have been given, and are for the future to be given, permission to land and reside in this country.

SIR HOWARD VINCENT: At the same time may I ask the Secretary of State for the Home Department if his attention has been called to a recent case at Bow Street Police Court, where the Russian prisoner admitted that, although indigent, ailing, and otherwise undesirable as an immigrant, he had gained admission to this country by alleging that he was a confederate of the revolutionaries who, in recent months, have committed upwards of 3,000 murders in Russia, and was consequently a refugee from justice; and if he will direct immigration officers and immigration boards that all assertions of political refugeeship by destitute immigrants, or those suffering from trachoma, tuberculosis, syphilis, and other contagious diseases must be scrupulously verified prior to acceptance, and that no participation in outrages involving human life be accepted as constituting a claim to the hospitality of Great Britain, in accordance with the Parliamentary declarations of his predecessor, the late Sir William Vernon Harcourt, on 6th May, 1881.

*THE SECRETARY OF STATE FOR THE HOME DEPARTMENT (Mr. GLADSTONE, Leeds, W.): The first part of the Question put by the hon. and gallant Member for Central Sheffield relates to an extradition charge against one Zingar at Bow Street, which was a matter entirely for the Court. I am informed that when the man appeared before the Immigration Board at Grimsby he was admitted as a political refugee because he was believed to be in special danger if returned. An immigrant cannot claim to be admitted as a political refugee if he is suffering from diseases likely to render him a detriment to the public. As regards the statement made in this House by Sir William Harcourt in 1881, I am in full agreement with it. I think I shall have the full concurrence of the House in saying that proved participation in outrages involving human life cannot be accepted in itself as constituting a claim to the hospitality of Great Britain.

SIR GILBERT PARKER asked whether it was not a fact that Zingar assigned as a reason for desiring admission to this country that he was charged with committing crime.

*MR. GLADSTONE: That is not the information I have received from the Immigration Board.

Motor-Bus Licences in London.

MR. EVELYN CECIL (Aston Manor): On behalf of the hon. Member for the Walton Division of Liverpool, I beg to ask the Secretary of State for the Home Department if his attention has been called to recent criticisms upon the action of the Commissioner of Police in reference to the licensing of motor omnibuses; whether he is aware that upwards of 7,000,000 people are carried every week in such motor omnibuses; will he say whether the licensing is in the hands of promoted policemen with no technical knowledge; and, if so, whether he will consider the advisability of appointing one or more qualified engineers as inspectors to assist the Chief Commissioner.

*MR. GLADSTONE: Yes, Sir. My attention is called to this matter daily. The Commissioner of Police, as Public Carriage Licensing Authority, has, as expert adviser, a motor engineer of recognised reputation whom he consults whenever the necessity arises. There is no disagreement between the licensing authority and omnibus manufacturers and owners as to structural details on which expert advice is necessary, but only as to the interpretation to be put upon the words "undue noise and vibration." A committee, none of the members of which are promoted police officers, determines whether the vehicle under inspection is "unduly noisy" or not, the issue they have to deal with being one not requiring technical knowledge.

Gutter Advertising.

MR. CHIOZZA MONEY (Paddington, N.): I beg to ask the Secretary of State for the Home Department if his attention has been directed to the fact that the chief streets of West London are continually perambulated by dirty and ragged men carrying two, and sometimes three, heavy advertisement boards by means of an iron frame; whether he possesses any powers to suppress this form of advertising; and, if not, whether he will seek such powers at the earliest opportunity.

SIR HOWARD VINCENT: Will the right hon. Gentleman also say what other means of employment he intends to offer for these unfortunate persons thus denounced by the hon. Member for North Paddington.

*MR. GLADSTONE: The Commissioner of Police has power under the Metropolitan Street Act to control the carrying of advertisement boards, and he frequently interferes when the design is objectionable as creating a danger in the streets; but he has been unwilling to deprive these men of their living merely because they are ill-clad.

MR. CHIOZZA MONEY: Is my right hon. friend not aware that the prohibition of improper employment does not decrease the whole body of employment?

*MR. GLADSTONE: I do not see that that arises out of the Question.

Conventual Institutions.

MR. T. L. CORBETT: I beg to ask the Secretary of State for the Home Department whether he has any information as to the number of those belonging to illegal orders in France who have removed to England; whether he is aware that cruelty and sweating were proved against the institutions conducted by these orders in France; and whether he proposes to take any steps to secure their adequate inspection in England.

MR. MEEHAN (Queen's County, Leix): Is the right hon. Gentleman aware that the earnings of these religious institutions are spent in the service of and for the benefit of the poor? Does the hon. Member who put this Question pay all his employees a just wage and find them suitable conditions to live in; is this country to become the persecutors of those who give their lives and fortunes to the service of the poor?

*MR. SPEAKER: Order! order! Notice of this Question should be handed in at the Table.

*MR. GLADSTONE: I have no official information. The question of the regulation of industrial work in religious and charitable institutions, when carried on by way of trade, is now under consideration; but apart from this I cannot take any action with a view to the inspection of religious institutions.

MR. T. L. CORBETT: Is the right hon. Gentleman aware that these charges of cruelty and sweating were made on the authority of the Roman Catholic Bishop of Nantes, and were directed against an order which has since removed to England? In view of the large number of these orders now in England—they total twenty-one, I believe—is that not sufficient——

*MR. SPEAKER: Order! order! The hon. Member is trying to make a speech under the guise of a Question.

MR. SLOAN: Does the right hon. Gentleman contemplate introducing legislation on the subject next session?

MR. GLADSTONE'S reply was inaudible.

MR. T. L. CORBETT: Is the right hon. Gentleman aware of the very strong comments made by the Bishop of Nantes?

*MR. GLADSTONE: They have not come to my knowledge.

MR. T. L. CORBETT: Would the right hon. Gentleman like to see them?

MR. SWIFT MACNEILL: No, he would not.

Medical Relief in Whitechapel.

MR. ALDEN (Middlesex, Tottenham): I beg to ask the President of the Local Government Board what sum of money the Whitechapel Guardians have spent on medical out-relief (exclusive of salaries) during the last year of which their accounts have been received by the Local Government Board.

THE PRESIDENT OF THE LOCAL GOVERNMENT BOARD (Mr. JOHN BURNS, Battersea): The sum spent during the year ended at Lady Day last, exclusive of salaries and extra medical fees, appears to have been £123.

MR. ALDEN: I beg to ask the President of the Local Government Board whether he will take steps to secure that, in cases of serious or infectious sickness (including phthisis, tuberculosis, measles, whooping cough, and chicken pox) of persons destitute of the means of obtaining a doctor otherwise, the Whitechapel guardians or their relieving officers will give orders for the district medical officer to visit such persons at the beginning of the sickness instead of waiting till the sickness is urgent.

MR. JOHN BURNS: I am informed that in all cases of sickness at Whitechapel the relieving officers, on application, give orders for the district medical officers to visit. There is no delay pending inquiries into the cases. These are made afterwards. The district medical officer visits when he receives the order. There is no question of waiting until the sickness becomes urgent.

Utley Post Office.

MR. BRIGG (Yorkshire, W.R., Keighley): I beg to ask the Postmaster-General if, in deference to the wishes of some of the residents in the locality, he will withdraw his sanction to the continuance of the sub-post office at Utley, near Keighley, being conducted on licensed premises.

THE POSTMASTER-GENERAL (Mr. SYDNEY BUXTON, Tower Hamlets, Poplar): The office has been in the hands of the present sub-postmaster for more than six years. It is well managed and no complaints have been received from the public; I do not, therefore, see any sufficient reason at present for disturbing the arrangement. The liquor sold is not consumed on the premises.

MR. LEIF JONES (Westmoreland, Appleby): When may the House expect the Return showing the number of post offices on licensed premises?

MR. SYDNEY BUXTON: I will make inquiry.

Telephone Bill.

MR. GEORGE ROBERTS (Norwich): I beg to ask the Postmaster-General whether he can state when the Telephone Bill will be introduced; and what steps have been taken with regard to the transference of the staff.

MR. SYDNEY BUXTON: As I have already stated in answer to Questions on the 26th February and 8th March last,† it is not intended to introduce at present a Bill dealing with the transfer of the National Telephone Company's staff to the Post Office. The transfer of the company's system will not take place until the 1st January, 1912, and as statutory authority will be required for other parts of the arrangement besides the transfer of the staff, it will obviously be more convenient to introduce a Bill when the whole subject can be dealt with.

Manchester Post Office Staff Revision.

SIR C. E. SCHWANN (Manchester, N.): I beg to ask the Postmaster-General whether he is aware that, in reply to a memorial from the staff of the Manchester Post Office in 1903, the memorialists were informed that a revision of the indoor force was then pending, and that the grievances of which the staff complained would be considered under the revision; that so far the promised changes have not been authorised; and whether he will state when the revision of the force will be carried into effect.

MR. SYDNEY BUXTON: I am aware that the Manchester postal staff were informed that their application of the 11th December, 1903, would be considered in connection with an approaching general revision of the indoor force. I regret the delay, but the inquiries in connection with a revision of such importance have occupied necessarily a considerable time, and the proposals are now approaching completion.

Lytham Schools and Saints' Days.

MR. HIGHAM (Yorkshire, W.R., Sowerby): I beg to ask the President of the Board of Education if he is aware that on Ash Wednesday, Ascension Day, and All Souls' Day the children of St. John's and St. Cuthbert's Schools, Lytham, and of St. Anne's School, are taken to the adjoining churches in spite of the fact that these schools are on the foundation of the Lytham charities (Lancashire), and that these charities have been stated by the Board of Commissioners to be undoubtedly undenominational in their character by an answer given on 6th August, 1894; and if he will take the necessary steps to compel the managers and trustees of these schools so to alter their methods of working the schools as to cease this denominational action.

THE SECRETARY TO THE BOARD OF EDUCATION (Mr. LOUGH, Islington, W.): I am not aware of the practice mentioned. The character of these schools is determined by the provisions of a scheme dated 14th February, 1899, and they appear to have been conducted as Church of England schools for many years past. The Board have received no formal complaint in regard to the existence of such a practice as the hon. Member mentions, but if any such complaint should be made I will inquire carefully into the matter. In any event I may remind the hon. Member that not a single child need be taken, or can legally be taken to Church during school hours by the managers (as alleged in the Question) if the parents withhold consent; and any breach of the Conscience Clause in this respect should be immediately reported to the Board of Education, who would take drastic steps at once.

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† See (4) *Debates*, clii., 786–7; cliii., 636.

Mr. HIGHAM: Is it necessary for the parents to send a written request asking that the child be kept back?

Mr. LOUGH: Yes, I think so under the circumstances in which the schools are being carried on.

Mr. EVELYN CECIL: Is there any ground for thinking that any parents do object to this practice?

Mr. HIGHAM: Yes, Sir.

Swansea Education Dispute.

Lord BALCARRES: I beg to ask the President of the Board of Education upon what date the Swansea Local Education Authority undertook to carry out the directions of the Board of Education.

Mr. LOUGH: I must refer the hon. Member to the very full Answer given yesterday in explanation of the situation in Swansea,† to which I have nothing to add except that I am not aware that the Swansea Local Education Authority have undertaken to carry out, or on the other hand are failing to carry out any directions of the Board of Education; if, however, the Question in this respect has reference to the matter of differentiation of salaries, it will be obvious that for the present I can add nothing to what has been said on this point.

Lord BALCARRES: I think I ought to have an Answer to-day as the right hon. Gentleman asked me to defer the Question when I put it the other day.

Mr. LOUGH: Perhaps the noble Lord will address the Question to my right hon. friend.

Educational Endowments.

Mr. SEDDON (Lancashire, Newton): I beg to ask the Prime Minister whether he can undertake an inquiry into educational endowments which were left explicitly for the clothing of indigent children, and are now being used for higher education contrary to the terms of the original trust.

Mr. LOUGH: So far as any such endowments are being used in the manner referred to by the hon. Member without any alteration of the original Trust having been brought about by scheme, the case could probably be stopped by ordinary process of law, on the initiation of anyone in the locality interested in the matter; and only persons in the locality could well be aware of such misapplication of funds. In the majority of cases, however, to which I imagine the hon. Member refers, statutory schemes have probably been made under the Endowed Schools Act for altering the purposes on which the money can be spent. In such cases the present application of the endowments could not be altered unless the Board of Education were given new powers by special legislation for revision of such matters under those Acts. And in these circumstances I do not see that much practical result could accrue from carrying out any such inquiry as is suggested in the Question.

In answer to a further Question,

Mr. LOUGH said he believed there had been a statutory disposition in most cases and that over-ruled the rights of individuals.

Disclosure of Government Secrets.

Sir W. EVANS-GORDON: I beg to ask Mr. Attorney-General whether he can inform the House what is the customary procedure under the Official Secrets Act, 1889, by a Government Department in the event of a secret and confidential document, strictly withheld from the public, being disclosed.

The ATTORNEY-GENERAL (Sir John Walton, Leeds, S.) said that there was no customary practice. Some of the Departments had a legal staff and some had not. Where they had a legal staff, and thought proper to institute a prosecution, the solicitor for the Department was instructed to lay the case and the evidence in support of it before the Attorney-General for his consideration. If the Department had no legal staff the

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† See (4) *Debates*, clxv., 1245.

Solicitor to the Treasury took the same course. If the evidence was such as to warrant a prosecution the Attorney-General granted his fiat.

Sir HOWARD VINCENT: Has there been any application from the Colonial Office in a recent case?

Sir JOHN WALTON: No.

Brecon Official Receiver.

Mr. KEIR HARDIE: I beg to ask the President of the Board of Trade whether, before finally deciding upon the removal of the Official Receiver in Bankruptcy's office from Merthyr Tydfil to Pontypridd, he will receive a deputation from the business men of the Brecon district who will be seriously inconvenienced if the proposed change is carried into effect.

The SECRETARY to the BOARD of TRADE (Mr. Kearley, Devonport): I understand that my right hon. friend has promised to see the hon. Member to-morrow afternoon on this matter.

Parliamentary Clerks and the Members' Dining Room.

Mr. SNOWDEN (Blackburn): I beg to ask the hon. Member for Mid-Derbyshire, as Chairman of the Kitchen Committee, if he or the Committee has given instructions restricting the facilities that the clerks have hitherto had to freely use the dining rooms on the same conditions as Members of the House; and if such instructions, if given, are to the effect that the clerks must use only one room and a certain table set specially apart for them.

Mr. LEA inquired whether there were only nine members present at the meeting of the Committee at which the Resolution was passed, and whether the Resolution was carried by the casting vote of the chairman.

Sir ALFRED JACOBY (Derbyshire, Mid.): The hon. Member is one of the Kitchen Committee, and I think it is therefore unnecessary to take notice of his Question. In reply to the hon. Member for Blackburn I have to say, that in consequence of the unusually large demand for seats in the Members' dining room during the autumn session, the Committee have deemed it advisable, for the convenience of Members, to ask the clerks of the House to be good enough for the present to use the centre room for dining. In order that they may secure seats without difficulty, on notice being given a table is reserved for them.

Mr. JOHN REDMOND (Waterford) asked whether the matter was within the province of the Kitchen Committee, or whether, as a matter of fact, it did not rest either in the hands of the Speaker or of the Serjeant-at-Arms.

*Mr. SPEAKER: I think the hon. Member for Waterford is right. My attention has not been specifically called to the particular Resolution which is impugned, but I should say that it must be outside the functions of the Kitchen Committee to limit the privileges either of hon. Members or of the staff who are compelled to be in attendance.

Mr. JOHN REDMOND: Under these circumstances I take it that the Resolution of the Kitchen Committee has no effect at all.

The Lytham Charities.

Mr. HIGHAM: I beg to ask the hon. Member for the Elland Division of Yorkshire, as representing the Charity Commissioners, whether, seeing that the Lytham charities (Lancashire) were left for the schooling of the poor children of Lytham, and that the ratepayers of that parish are paying by means of the poor rate for the elementary education of the children of the parish, he will consider the advisability of arranging that the income derivable from the charity, or a portion of it, shall be paid to the overseers for the purposes of the trust, viz., in relief of the cost of elementary education.

Mr. TREVELYAN (Yorkshire, W.R., Elland): The hon. Member appears to be referring to the Lytham School Charities, the jurisdiction over which was transferred 30th April 1903 to the Board of Education under the Board of Education Act 1899 and the Board of Education (Powers) Orders in Council 1900 to 1902. Any Question relating to these charities should therefore be addressed to the President of the Board of Education.

Land Agents to the Church Estates Commissioners.

MR. WEDGWOOD (Newcastle-under-Lyme): I beg to ask the hon. Member for East Bristol, as Church Estates Commissioner, with reference to the remuneration of Messrs. Clutton and Messrs. Smith Gore as land agents for the Commissioners, whether the 4 per cent. on gross rental that they are paid for agency fees covers travelling expenses, and how much was paid each of these firms as extra agency fees during the year 1905–6 for work which he stated was paid for as an extra.

MR. CHARLES HOBHOUSE (Bristol, E.): The remuneration for agency covers travelling expenses. The additional remuneration or superintendence of improvement works in exceptional cases in respect of agricultural tenancies in the year covered by the last published accounts of the Ecclesiastical Commissioners (being the accounts to which the previous Question of the hon. Member referred) amounted to £440.

Church Estates Commissioners.

MR. WEDGWOOD: I beg to ask the hon. Member for East Bristol, as representing the Church Estates Commissioners, with reference to the agency of Messrs. Clutton and Messrs. Smith Gore, whether these firms employ their own solicitors, and what the amount of the solicitors' bills paid in the year 1905–6 was; and whether this sum was paid by the agents out of their agency fees, or was paid by the Commissioners through these agents.

MR. CHARLES HOBHOUSE: When the assistance of solicitors is required in matters relating to agency, they are generally employed and paid by the Ecclesiastical Commissioners, but in occasional cases of minor importance the Commissioners' agents, for reasons of economy, are authorised to employ local legal assistance; the cost of such assistance is paid by the Commissioners or allowed in account with their agents as a disbursement; the amount paid by the Commissioners or allowed in account for such legal assistance during the year covered by their last published accounts (*i.e.*, to Lady Day, 1905) was £561 12s. 6d., of which £13 11s. 6d. only was in respect of local assistance employed by the agents. For the year to Lady Day, 1906, the accounts are not yet completed.

The Milan Exhibition.

MR. HALPIN (Clare, W.): I beg to ask the Secretary of State for the Home Department if the British Executive Commissioner to the Milan Exhibition will furnish a Report as to the results of this Government's participation, and if a detailed statement will be published, dealing with the expenditure of the £10,000 appropriation given by the late Government, and what steps were taken by the British Commission to have Irish industries adequately represented; if any Irishman was a member of the Commission, or if Ireland was represented on the international jury of awards; if a Return will be given as to the number of Irish industries represented; if the nomination of jurors was made with a due regard to fitness; if those who acted as jurors were British subjects and connected with industrial enterprises; if it is the intention of the Government not to make further grants for exhibition purposes until after a Report is made by the Commission appointed to report on the subject of exhibitions: and if the Report will be laid upon the Table of the House.

THE FINANCIAL SECRETARY TO THE TREASURY (Mr. McKENNA, Monmouthshire, N.): I may perhaps be allowed to answer this. I am informed by the President of the British Commission for the Milan International Exhibition, Sir Albert Rollit, that a Report as to the results of the Government's participation and a detailed account and statement dealing with the expenditure of the £10,000 Grant-in-Aid has been kept, and will be furnished to the Government by the Commission in due course. Measures were taken by the Commission to secure an adequate representation of Irish industries. The Commission communicated with the Department of of Agriculture, &c., Ireland, and with all the leading Irish industrial houses, and approached a large number of firms through the personal good offices of the Italian Consul-General at Dublin and the Consul at Belfast; they also employed a leading firm of exhibition agents to endeavour to gather a representative Irish exhibit. The success achieved was only very moderate. The Commission paid all expenses connected with the Irish exhibits with the exception of those of only one exhibitor. The following Irishmen (and possibly others) were members of the International Jury: Admiral C. P. Fitzgerald, A.I.N.A., Mr. J. Sebastian Barnett, teacher. But in the nomination of juries, the principle of nationality as within the United Kingdom was not followed, and in most cases was not known. The Irish industries and business houses, &c., represented included:—Carpet-making and rope-spinning; Benada Abbey Technical and Lace School, Tubbercurry, county Sligo; St. Louis Convent, Carrickmacross, county Monaghan; Youghal Lace Industry, Youghal, county Cork; Dun Emer Guild, Dundrum, county Dublin; the Belfast Ropework Company, Limited, Belfast, The nomination of jurors was, of course, made with full regard to fitness; of the forty-two jurors for Great Britain thirty-eight are known to be British subjects; one (if not two) of the others is an Italian expert long resident in England, who may have been naturalised (inquiry will be made on this point), and one a Japanese expert. Practically all the jurors were connected either directly, or as experts or otherwise, with industrial enterprises. I have here a list of the jurors with their qualifications, which I shall be pleased to show to the hon. Member if he will speak to me afterwards. At the present time I am not in a position either to say that no grant will be made for exhibition pending the Committee's Report, or that, when the Report is received, it will be considered necessary to lay it on the Table of the House.

The National Gallery.

MR. CHIOZZA MONEY: I beg to ask the Secretary to the Treasury whether he has now communicated with the Trustees of the National Gallery with reference to their action in allowing private firms to trade rent free within the precincts of the gallery; and, if so, with what result; and whether consideration will be given to the fact that, if an official department were opened at the gallery for the sale of reproductions of national pictures, a considerable contribution might be secured towards the maintenance of the building.

MR. MCKENNA: The Trustees have carefully considered this matter and have now informed me that the space available for the sale of reproductions, etc., is very limited, and that they have been advised that the rent to be obtained for it would be comparatively insignificant. They moreover desire to retain complete control over the approaches to the gallery, and are of opinion that that control might be impaired if the firms admitted were allowed to acquire, under agreement, a right to use them. In these circumstances they deprecate any attempt for the present to establish within the gallery a department for the sale of reproductions. In the event, however, of the existing buildings being enlarged, and more space becoming available, it would be a matter for consideration whether a substantial rent for any privileges which might be conceded to the vendors should be required.

MR. CHIOZZA MONEY: Is it intended to allow these firms to continue trading on national premises without paying any rent, seeing that their stalls are very good stalls and their names are displayed as advertisements?

MR. LEIF JONES: May I ask whether these private firms do not perform a public service in selling cheap guides and reproductions of national pictures; whether it is not very much to the advantage of visitors to the gallery that these reproductions should be easily obtained; and whether, as a matter of fact, it is not much more likely that the nation would lose money if an official department were opened for the sale of these things?

MR. MCKENNA: The same arguments were brought before the Public Accounts Committee in a similar case, and they were satisfied that there was no ground for making any change.

Trading Companies.

MR. RENDALL (Gloucestershire, Thornbury): I beg to ask the Secretary to the Treasury whether he is aware that ordinary trading companies are being registered under the provisions of the Industrial and Provident Societies Acts, whereby they obtain the advantages of incorporation with limited liability, without having to pay the capital and other duties payable by ordinary companies registered under the Companies

Acts; and if he proposes to take steps to prevent the practice.

MR. MCKENNA: Section 4 of the Industrial and Provident Societies Act of 1893 provides that a society may be registered "for carrying on any industries, businesses or trades authorised by its rules, whether wholesale or retail, including dealings of any description with land." The Chief Registrar of Friendly Societies informs me that it would be extremely difficult to amend the Act without severely crippling the co-operative movement in the country, so as to prevent any trading company from being registered under the Act, but the Chief Registrar has refused to register societies which appeared to him to have objects not in accordance with the Act and has cancelled the registry of other societies which have violated the provisions of the Act.

King's Park, Stirling.

MR. MORTON (Sutherland): I beg to ask the Secretary to the Treasury whether any decision has yet been come to with regard to the proposed feuing of a part of the King's Park, Stirling.

MR. MCKENNA: Sanction has been refused to the proposed feuing.

Parliamentary Debates Contract.

MR. STRAUS (Tower Hamlets, Mile End): I beg to ask the Secretary to the Treasury, referring to the contract for *The Parliamentary Debates*, whether the statement of the late Controller of the Stationery Office (evidence before the Select Committee on Parliamentary Debates, 1893, Q. 260) that practically no one looked after the contract at all, fairly represents the present practice of the department; whether he is aware that although the current contract stipulates for publication on the sixth day after each debate, copies of the Report are not on public sale until the seventh day, and sometimes later; and whether, during the last four years, any fines have been collected from the contractors under Clause 6 of the contract.

MR. MCKENNA: The Stationery Office looks carefully after the observance of this contract in regard to the date of publication. In the contract to which the hon. Member refers the publication has to be made on the sixth day after each day's debate. That is exclusive of Sundays, and this means in practice the seventh day. I am assured that in no one instance during the last four years, except on occasions which were expressly sanctioned beforehand, has there been any delay. Therefore there have been no fines to collect from the contractors.

Civil Service Writers.

MR. CHIOZZA MONEY: I beg to ask the Secretary to the Treasury whether he is aware that a number of aged writers who have been employed in various departments of the Civil Service since 1870, and who have been paid during that time about thirty shillings per week, are to be discharged in January next with only £100 each as a gratuity; and whether, in view of the age, character, and length of service of these men, he can see his way to provide them either with an old age pension or an increased gratuity?

MR. McKENNA: The considerations which have led my hon. friend to the conclusion that these men should be granted pensions apply with equal force to a very large number of persons now in the employment of the State. No distinction can be made in their case and the terms on which their engagement was made give no ground for the claims now advanced. I may add that I dealt fully with this subject in my reply to my hon. friend the Member for Exeter on the 3rd July last.†

SIR G. KEKEWICH (Exeter): Would there be any difficulty in modifying the Treasury Minute to meet the case of these men? I should also like to ask whether these men are not a class entirely by themselves, consisting of only about a dozen; whether there are any other persons in the Civil Service in a similar position, that is to say, with an average of seventy-four years of age and thirty-four years service; and whether, in view of these circumstances, they are to be discharged and be obliged to go to the workhouse?

MR. McKENNA: The Answer to my hon. friend's Question is that there are a large number of other persons in the service of the State engaged on exactly the same terms, and whose conditions of service are exactly the same. No change could be made in these cases without extending a similar change to those other servants of the Crown. I can hold out no hope of any alteration in the law in this respect.

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† See (4) *Debates*, clix, 1601.

MR. CHIOZZA MONEY: Will my hon. friend consider the advisability of treating all these men in the same way—a proper way—and so keep them out of the workhouse?

Controller of Stamps Clerkship.

MR. CLAUDE HAY (Shoreditch, Hoxton): I beg to ask the Secretary to the Treasury whether he is aware that the Controller of Stamps especially recommended Mr. Clark of his Department (an officer of twenty-seven years Revenue service) as the fittest person for promotion to a principal clerkship therein, rather than Mr. Johnson, of the Department of the Secretaries of Inland Revenue (an officer of only twenty-two years Revenue service), by reason especially of the fact that, among his other qualifications, the former had a full knowledge of the technical and general business of the Controller's Department, whereas the latter was absolutely wanting in such knowledge; will he say why the Controller's recommendation was disregarded by the Commissioners of Inland Revenue; whether other circumstances in relation to Mr. Johnson have been brought under the notice of the Chairman of the Board of Inland Revenue as pointing to the unlikelihood of that gentleman's translation being an influence for good in the Department of the Controller of Stamps; whether he will make further inquiries and satisfy himself that the action of the Commissioners of Inland Revenue in this particular case is just towards Mr. Clark, who was strongly recommended by the Controller of Stamps; and whether, in all the circumstances, he has satisfied himself that the course taken is calculated to be of real benefit to the public service.

MR. MCKENNA: I am aware that the Controller of Stamps recommended Mr. Clark, but as I stated in reply to the hon. Member a few days ago, Mr. Johnson was selected by the Inland Revenue Commissioners as being in their opinion the officer best qualified for the appointment. Seniority is not the main consideration, but I may point out that Mr. Johnson has been in the public service a year longer than the officer who was recommended by the Controller as the best qualified among those serving in his Department. The Answers to the third and fourth parts of the Question are in the negative and to the fifth part in the affirmative.

MR. CLAUDE HAY: Is it not the fact that the Controller of Stamps had an interview with Sir Henry Primrose and protested strongly against the appointment of Mr. Johnson? Is the translation of Mr. Johnson to the office an advantage to the public service?

MR. MCKENNA: The Answer to both Questions is in the affirmative.

Trawling in the Moray Firth.

MR. A. WILLIAMSON (Elgin and Nairn): I beg to ask the Secretary for Scotland whether he is aware that trawlers have recently recommenced trawling within the prohibited area of the Moray Firth, and that a trawler was seen at work opposite to Lossiemouth on 19th November in broad daylight; and whether he will impress the necessity for greater vigilance on the commanders of the fishery cruisers.

THE SECRETARY FOR SCOTLAND (Mr. SINCLAIR, Forfarshire): Illegal trawling within the Moray Firth has recently been reported. Immediately on the receipt of information that a trawler was working about seven miles off Lossiemouth, a telegram was dispatched to the commander of one of the fishery cruisers directing him to proceed there at once. I am satisfied that there is no lack of vigilance on the part of the commanders of cruisers.

Illegal Trawling on the Fife Coast.

MAJOR ANSTRUTHER-GRAY: I beg to ask the Secretary for Scotland whether, in view of the annual inroads of poaching trawlers fishing within the limit off the Fife coast, particularly at the mouth of the Forth and around the Isle of May, between the months of January and March inclusive, he will give instructions that a fishery cruiser or a gunboat shall specially watch those waters between these dates, or take such other steps as may be necessary to prevent the harm that has been caused to the fishing communities on the Fife coast in the past.

MR. SINCLAIR: The Fishery Board are aware of the special apprehension to which the hon. Gentleman draws attention, and they will exert every effort to check the illegal trawling of which he complains.

Delvin Untenanted Lands.

MR. GINNELL (Westmeath, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland can he state what progress, if any, the Estates Commissioners have made towards acquiring for distribution the untenanted lands of Colonel Richard Fetherston, Captain Cecil Fetherston, Sir Montague Chapman and Francis V. Chapman, all in the rural district of Delvin, Westmeath.

THE CHIEF SECRETARY FOR IRELAND (Mr. BRYCE, Aberdeen, S.): The Estates Commissioners inform me that they have communicated with all the owners mentioned in the Question in regard to the sale of this untenanted land, but up to the present no replies have been received.

The Royal Canal.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if it is within the province of the Irish Board of Works, or of any officer of that Board as such, in the interest of the Midland Railway Company, to advise the Royal Commission on Canals and Waterways to recommend the closing of the Broadstone section of the Royal Canal; and will he have any such communication submitted to the Board of Control of the canal for its opinion.

MR. BRYCE: I am informed by the Board of Works that the Answer to the first part of this Question is in the negative. The second part of the Question, therefore, does not arise. The Royal Commission on Canals and Waterways will doubtless consider the question of the Royal Canal in all its bearings.

Kilgarvan Evicted Tenant.

MR. BOLAND (Kerry, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have received an application for reinstatement from Con Mahony, who was evicted from his holding near Kilgarvan in September 1882; and whether, seeing that negotiations are in progress for the sale of the estate to the occupiers, he can say whether any, and, if so, what steps have been taken to secure the reinstatement of this evicted tenant whose family had been in this holding for six generations.

MR. BRYCE: The Estates Commissioners inform me that they have received the application referred to, and have referred it to their inspector for inquiry. The inspector's report has not yet been received.

Stubber Estate, Queen's County.

MR. DELANY (Queen's County, Ossory); I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether negotiations for sale of the Stubber Estate, Aughaboe, Queen's County, to the tenants are in progress; whether he is aware that there are 800 acres of untenanted land upon the estate which the landlord proposes to let on lease of thirty-one years to the eleven months holders, and that the tenants have requested that the untenanted land should be sold to the Estates Commissioners for the settlement of evicted tenants and redistribution amongst small occupiers in the locality; and can he say what course the Estates Commissioners propose to adopt in this case.

MR. BRYCE: The Estates Commissioners inform me that they have no knowledge of any negotiations for the sale of the estate in question, nor of the circumstances of the estate. No proceedings for sale have been instituted before them, and no application from the tenants in respect of the untenanted land can be traced.

Dromahair Riots.

MR. DOLAN (Leitrim, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the case against the persons who had been prosecuted by the police for rioting at Dromahair, county Leitrim, on the 1st inst., has been dismissed; and whether, in view of the fact that the information supplied to him by the police authorities is contradicted by one of the clergymen whose arrival prevented a row, he has any further information to give to the House on the subject.

Mr. BRYCE: The hon. Member is under a misapprehension in supposing that the persons referred to were prosecuted for riot. The proceedings taken by the police consisted in an application that these persons should be bound to keep the peace. The defendants produced evidence to show that they had attended with their band at Dromahair in order to protest against a certain proposed scheme of sewerage and not for the purpose of taking part in the intimidatory demonstration against shopkeepers which had been announced. The magistrates accepted this explanation and refused the application against the defendants.

Shimna River Fishing Rights.

Mr. MACVEAGH (Down, S.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is now in a position to state who possesses the fishing rights at the limit of the Shimna River, Newcastle, county Down; whether Lord Annesley held the sole rights for ten years prior to the passing of the Act of 1842; whether Lord Roden owns any part of the river or has any fishing rights at the limit; whether he can state when Lord Annesley commenced to pay rates on his alleged rights; whether he can explain why Mr. John Tear was prosecuted for having a net inside the limit, and that no prosecution was laid against Lord Annesley's bailiff, who was detected with three illegal nets across the mouth of the river; and what explanation the Dundalk Board of Fishery has to offer.

Mr. BRYCE: The Department of Agriculture and Technical Instruction have no definite information as to the extent of any exclusive right of fishery which may exist on this river. Such a question of title can only be decided by a Court of law. It is understood that Lord Annesley claims such a right, and he commenced to pay rates in respect of this alleged right in 1905. The Department understand that Lord Roden does not claim any such rights. It would appear that the Dundalk Board of Conservators prosecuted John Tear for fishing within the half-mile limit at the mouth of the river contrary to statute law. In the case of Lord Annesley's bailiff, the Board of Conservators stated that they were satisfied that he worked his nets in a legal manner when acting as bailiff.

Elementary Schools in Ireland.

Mr. BRIGG: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he will consider the advisability of taking steps to make elementary education in Ireland compulsory.

Mr. BRYCE: The Irish Education Act of 1892 provides for the application of the law of compulsory attendance at school in all municipal boroughs, towns, and townships in Ireland; and under the Local Government (Ireland) Act, 1898, it is optional with the rural district councils to come under the same provisions. The law, therefore, already provides facilities for compulsory education in Ireland, although there are many districts in which it has not been adopted.

Fishery Inquiry.

Mr. BOLAND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is now in a position to state what steps, if any, will be taken to give the Fishery Department power to hold inquiries with the object of changing the close seasons where necessary.

Mr. BRYCE: I informed the hon. Member early in the session that I thought some legislation on this subject desirable; but I am not yet in a position to say when it may be possible to introduce such legislation.

The Tollemache Estate.

Mr. HOGAN (Tipperary, N.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can say whether Mr. W. T. French, of Redwood, Lorrha, in North Tipperary, agent on the Tollemache estate, has purchased the Ragh and Mill farms on the estate, situate adjacent to the village of Lorrha and held by him as tenant; whether the tenants of the lands known as the Bullock parks have purchased, and, if so, at what price; whether he is aware that the other tenants on the estate have refused to purchase their holdings owing to the fact that Mr. French on behalf of the landlord wants twenty-five years purchase for them; and whether under the circumstances the Estates Commissioners will sanction the sale until the whole estate be sold.

MR. BRYCE: The Estates Commissioners inform me that they are unable to identify the estate mentioned as one in which proceedings for sale have been instituted before them; nor have they any knowledge of the matters referred to in the Question.

Increased Price of Irish Land.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, having regard to the fact demonstrated by the Estates Commissioners that under the zone system the price of land in Ireland has been raised 68½ per cent. in excess of true value, and the danger involved in the continuance of a system producing such a result, whether he will include the abolition of the zones and the restoration of inspection in any Bill which he contemplates introducing for amending in other respects the Land Act of 1903.

*MR. BRYCE: I am not aware of any statement made by the Estates Commissioners to the effect that under the zone system the price of land has been raised 68½ per cent. in excess of true value. The hon. Member probably refers to the statement in the Commissioners' last annual Report to the effect that the average price per acre, inclusive of bonus, received by landlords since the passing of the Act of 1903 is 68½ per cent. more than the average price per acre during the preceding five years when there was no bonus. I do not observe that the Commissioners have sought to draw any conclusion as to true value. As I have previously stated, the Government are carefully watching the operations under the Act with the view of seeing whether amending legislation may be necessary, but I am not yet in a position to make any announcement on the subject.

Labourers Cottage Schemes.

MR. GINNELL: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland, in view of the number of schemes now in preparation under the Labourers Acts, and the desirability of taking for the purposes of those Acts untenanted and non-residential land so far as available, will a copy of the whole or of part of the Return of the untenanted land be sent to each rural council in whose district land of that class exists.

MR. BRYCE: It is not the practice of the Government to distribute Parliamentary Returns to local authorities gratuitously. The Return in question is on sale to the public, price 3s. 3d., and it is open to any rural district council which may be interested in it to purchase a copy for official use.

Clonlara Untenanted Lands.

MR. WILLIAM REDMOND (Clare, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether the Estates Commissioners have got untenanted land belonging to Colonel Westropp to divide among the poorer tenantry in the parish of Clonlara, county Clare, under £15 valuation, and, if so, the number of acres; whether their inspector has inspected the holdings and decided on the more deserving persons to get divisions of this land, taking into consideration the number of persons in each family and the want of tillage land; and if he can say what purchase money the Commissioners have sanctioned, and when will the division take place, and how many families will get divisions.

MR. BRYCE: The Estates Commissioners inform me that the estate in question has been inspected, and the inspector's report is now under their consideration. The Commissioners have, however, informed the owner that they would decline to regard the lands proposed to be sold as an estate for the purposes of the Act, unless he should sell to them, for the enlargement of holdings in the neighbourhood, 175 acres of untenanted land. This the owner has expressed his willingness to do on certain terms which are now under the Commissioners' consideration. Until this question has been settled the Commissioners are unable to make any statement as to the division of the untenanted land in the event of their acquiring it.

Dromod Schools.

MR. BOLAND: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland whether he is aware that the fees due on 30th June for the teaching of Irish have not been paid in several schools in the parish of Dromod, county Kerry, although the classes have been examined, in some cases early in the month of June; and whether, in view of the fact that the bilingual programme has been adopted extensively in this Irish speaking parish, he will inquire what is the cause of the delay in paying these fees.

MR. BRYCE: The Commissioners of National Education inform me that the fees referred to in the Question have now been paid.

Bathurst Estate, Cappamore.

MR. LUNDON (Limerick, E.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that negotiations for the sale and purchase of the Bathurst property in Cappamore, county Limerick, have been for some time in progress between the owner and the tenants; is he aware that there are, beside the rural tenants, a body of town tenants who are anxious to purchase their holdings whilst the sale of the estate is now going on; and will he take steps so that the Estates Commissioners may put themselves in communication with the agent of the estate with a view of having the town tenants included in the general sale.

MR. BRYCE: The Estates Commissioners inform me that they are unable to identify the property referred to from the particulars given in the Question. They add, however, that it is not their practice to insist upon the inclusion of a town or village in an estate which is the subject of proceedings for direct sale from a landlord to his tenants.

Lloyd Estate, Arva.

MR. VINCENT KENNEDY (Cavan, W.): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state what is the position of the sale of the Lloyd estate near Arva, county Cavan; when were purchase agreements filed; how many tenants signed these agreements; when was this estate inspected; how many evicted tenants are there on the said estate; what amount of untenanted land is on the landlord's hands; and how many tenants are still outside this sale.

MR. BRYCE: The Estates Commissioners inform me that they are unable, from the particulars given in the Question, to identify the estate referred to. If the full name of the owner and the name of the townland on which the estate is situated are given, the Commissioners will make further inquiry in the matter.

Irish Securities.

MR. MOONEY (Newry): I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he can state what was the cost of the securities referred to in the annual Report of the Department of Agriculture and Technical Instruction for Ireland, 1904–5, page 134, as proceeds of sale of securities, £29,985 17s. 9d.

MR. BRYCE: I am informed that the cost of the securities referred to was £29,621 6s. 0d.

Irish Board of Works Surveyors.

MR. VINCENT KENNEDY: I beg to ask the Chief Secretary to the Lord-Lieutenant of Ireland if he is aware that in the Surveyor's department of the Irish Board of Works sixteen of the nineteen surveyors are Protestants; and can he say if these appointments are the subject of open competition?

MR. McKENNA: The Board of Works inform me that they have no knowledge of the religious beliefs of their staff. Of the nineteen principal and assistant surveyors ten have been appointed by open competitive examinations. Owing to a dearth of suitable candidates in 1900 three appointments were made by nomination and one other officer was appointed in this way in 1904 for somewhat similar reasons. With these four exceptions, however, the rule of recent years has been and still is to appoint by limited competition from amongst nominated candidates. Wide publicity is given by advertisement in the professional and other papers when a vacancy exists, and all qualified candidates are invited to send in a statement of their qualifications with their testimonials.

Sir Henry MacCullum.

MR. SWIFT MACNEILL: I beg to ask the Prime Minister for what term does Sir Henry MacCullum, who was appointed to the Governorship of Natal in January, 1901, hold office; and whether, having regard to the disturbed condition of Natal during his government, the fact that a letter from Lord Milner to him in favour of the suspension of the Cape Constitution was published in the Press, the language used by him in a speech to the Boer leaders during the negotiations which preceded the termination of the South African War, and the severity in the administration of a martial law *régime* instituted by his own proclamation which has characterised his governorship of Natal, steps willl be taken to bring his official connection with Natal to a termination.

THE PRIME MINISTER AND FIRST LORD OF THE TREASURY (Sir H. CAMPBELL-BANNERMAN, Stirling Burghs): I have already answered the first and the only effective part of this Question. Sir Henry MacCullum's term as Governor of Natal will expire in May of next year. The second part of the Question seems to be merely the excuse for a general denunciation of this distinguised public servant which, if in accordance with the rules of order—as I presume it is, as you, Sir, have allowed it—is at any rate highly improper when made under cover of a Question. The Government have no reason to withdraw their confidence from Sir Henry MacCullum, who in his treatment of recent events has been guided by the advice of his responsible Ministers.

MR. SWIFT MACNEILL said that if the right hon. Gentleman would give him a day for the purpose he would undertake to substantiate every word he had said.

SIR H. CAMPBELL-BANNERMAN: That may be so, and I have no objection to days being given if there are any to be had, but my observations were addressed to the introducing of these personal opinions under the guise of a Question.

MR. SWIFT MACNEILL said he took the full responsibility for that.

Small Landholders (Scotland) Bill.

MR. MORTON: I beg to ask the Prime Minister when he proposes to take the Second Reading of the Small Landholders (Scotland) Bill.

SIR H. CAMPBELL-BANNERMAN: No, Sir, I have no information to give. The hon. Member must know that it is impossible to take it in the present state of public business.

Occasional Licensing.

MR. T. F. RICHARDS (Wolverhampton, W.): I beg to ask Mr. Chancellor of the Exchequer whether he is aware that the Inland Revenue officer for the Loughborough district has granted an occasional licence for the sale of drink for more than three days at any one time; and whether he will call the attention of the Commissioners of Inland Revenue to the violation of the Revenue Act of 1862.

MR. ASQUITH: Occasional licences have been granted by this officer for periods of six days under the Act 26 and 27 Vict., Cap. 33, Section 19, which amended the Act of 1862 by substituting six days for three as the period for which an occasional licence might be granted.

THE WORKMEN'S COMPENSATION BILL.

MR. KEIR HARDIE asked whether the Government still contemplated taking the Workmen's Compensation Bill on Thursday next.

SIR H. CAMPBELL-BANNERMAN: Certainly, Sir.

THE ADMISSION OF STRANGERS.

MR. CLAUDE HAY: May I ask whether the supervision which has existed in the past with regard to the admission of permanent officials to the strangers' gallery continues under the altered circumstances with regard to the gallery behind the Speaker's chair?

*MR. SPEAKER said that special regulations applied to the admission of private secretaries and officials to the gallery behind the chair. The names of the officials or private secretaries had to be sent in on the morning of the day on which they required admission, and a request had to be made by the Minister who desired a private secretary or an official to be present.

NEW BILL.

BURIALS BILL.

"To amend the Law with respect to the consents required for the use of ground for Burials and the construction of cemeteries," presented by Mr. John Burns; supported by Mr. Runciman; to be read a second time upon Thursday, and to be printed. [Bill 356.]

PLURAL VOTING BILL.

As amended, further considered.

Proceedings resumed upon the clause (Cases in which electors may apply to a court for leave to select a constituency), read a second time upon the 26th November:—

"(1) Where a Court, within the meaning of this section, is satisfied on the application of any person made in accordance with rules of Court—

"(*a*) that he has been prevented by illness or absence beyond the seas from giving a notice of selection on or before the day required by this Act; or

"(*b*) that, since the day on or before which a notice of selection is required to be given under this Act, he has become aware that he is registered in more than one constituency; or

"(*c*) that he has given a notice of selection in a constituency in which his name is not upon the lists of voters, or in which his name has been struck off the lists of voters on revision or on appeal; or

"(*d*) that he has given a notice of selection in manner required by this Act, and that his name has not been marked on the register in accordance with that selection; or

"(*e*) that he has given a notice of selection, but that through inadvertence or ignorance he has given the notice in respect of the wrong constituency or to the wrong clerk; or

"(*f*) that having been registered in one constituency only at the commencement of the calendar year, he is about to be registered or has become registered before the end of the calendar year in more than one constituency owing to the inclusion of his name in a Scottish Parliamentary register which comes into force on the first of November in that year; or

"(*g*) that having selected a constituency in Scotland he has ceased or will cease before the end of the calendar year to be on the register of the selected constituency;

"and that there has been no unreasonable delay in making the application, the Court may by order allow the applicant to select for the purpose of this Act the constituency specified in the order.

"(2) The clerk of the county council or town clerk responsible for printing the Parliamentary register of the selected constituency shall act in accordance with any such order of the Court as if the order were a notice of selection given within the time required by this Act, and if the register has come into force shall transmit a copy of the order to the sheriff or returning officer having the custody of the register, and the sheriff or returning officer shall make the necessary mark on the register.

"(3) For the purpose of this section 'court' means the High Court or a court of summary jurisdiction or county court having jurisdiction in the constituency which the applicant under this section desires to select."—(*Mr. Harcourt.*)

*MR. NIELD (Middlesex, Ealing) who had given notice of the following Amendments—

"In line 27, to leave out from 'and,' to 'shall,' in line 34."

"In line 28, after 'may,' to insert 'upon *ex parte* application (unless for good and sufficient reason to be stated on the record, the court should otherwise determine, and thereupon notice to such person or persons and in such manner as the court shall direct).'"

stated that in view of the private assurance he had received from the right hon. Gentleman in charge of the Bill, that it was the intention of the Government in framing it to require all applications under this clause to be made *ex parte*, he would not press the two Amendments standing in his name.

MR. HARMOOD-BANNER (Liverpool, Everton) moved an Amendment providing that the clerk to the county council, or the town clerk responsible for the printing of the Parliamentary register in a selected constituency "shall cause the necessary mark to be made in all copies of the register," and shall send a copy of the order to the sheriff and returning officers. It was a matter of form and would complete the arrangement. He hoped the right hon. Gentleman would accept the Amendment.

SIR WILLIAM BULL (Hammersmith) said it was the custom for the different political party agents to send for a number of copies of the register. Each party might require about a dozen copies at an election and the returning officer would want twenty or thirty copies. That meant that perhaps as many as sixty copies of the register would be required. He wanted to know how all the interlineations were going to be made in all the copies of the register. He was afraid the carrying out of that work would be very inconvenient, and he would like to know exactly how it was going to be done. He seconded the Amendment.

Amendment proposed to the Clause—

"In line 34, after the word 'force,' to insert the words 'shall cause the necessary mark to be made in all copies of the register and then.'"—(*Mr. Harmood-Banner.*)

Question proposed, "That those words be there inserted in the Clause."

*MR. NIELD said this operation had to be gone through every year and in regard to every new register. The sheriff or the returning officer in practice never saw the register and had no cognisance or control over it until the election was announced. Moreover, the returning officer in a borough was not in many cases determined upon until the writ was sent from the Crown Office. In many cases, therefore—and, indeed, in all but the occasions when there were by-elections, these registers might require to be altered year after year for some four, five, or even six years without the sheriff or returning officer having any real or practical control over, or knowledge of, the contents of the register. Surely there must have been some oversight in drafting the clause.

THE FIRST COMMISSIONER OF WORKS (Mr. HARCOURT, Lancashire, Rossendale) said he was not sure that the practice of interrupting a Minister when he rose to reply was a convenient one, although he had given way to the hon. Member for Ealing. He wished to point out that the clerk to the county council or the town clerk was in charge of the register up to the end of December, but on the 31st of December he parted with it, and after the 1st of January it must be the person having the custody of the register who must make the necessary mark. If there was any inconvenience in this respect under the Bill there would be equal inconvenience under the Amendment. He did not think there would be many cases of the kind, and his opinion was that the number would be decreased to an infinitesimal total after the experience of a year or two. When the hon. Member spoke of such a large number of copies of the register being required he assumed that the whole of the register was required in each case. That was not so, because what was wanted in each case was only the part required for some particular district or polling station. As for interlineations, they occurred under the present law if a voter, after being struck off by the Revising Barrister, had his name placed on the list again on appeal. Under the proposal of this clause there would be no interlineations at all; there would simply be marginal marks.

MR. WALTER LONG (Dublin, S.) hoped the right hon. Gentleman in charge of the Bill would look a little more closely into this question, and not be quite so certain that the difficulty raised by his hon. friend was not a substantial one. The whole question was a technical one and must rest with those who had the best information. Under the circumstances he advised his hon. friend not to press his Amendment. He thought the right hon. Gentleman was a little severe on his hon. friend when he complained of his interrupting a Minister. He only asked leave to put a further point which was just as much for the convenience of the right hon. Gentleman as of anybody else. It was for the convenience of the Minister in charge of the Bill that he should hear the whole case before he replied.

*Sir CHARLES DILKE (Gloucester, Forest of Dean) wished to raise a point which he thought could be met in the circular. The present practice was to purchase copies of the register at the beginning of the year and sometimes at Christmas. Many county clerks were in the habit of reprinting alterations and sending them round to those who had purchased copies of the register. He thought it would be well to provide in the circular that the marks made in the register should be communicated when they were made to those who had purchased copies. It was obviously desirable that all parties should know what marks had been made during the year.

Mr. HARCOURT replied that the question raised by the right hon. Baronet was one which could be dealt with by an Order in Council.

Mr. HARMOOD-BANNER asked permission to withdraw his Amendment.

Amendment, by leave, withdrawn.

Sir WILLIAM BULL moved to extend the meaning of "court" by inserting, after the words "High Court or" the words "the Lord Mayor's Court in the city of London, the Court of Passage in the city of Liverpool, and the Palatine Courts in the counties of Lancashire and Durham." He felt that they ought to provide every possible facility for a man to get his vote. He thought the right hon. Gentleman had somewhat under-estimated the number of cases which would come before the court. For example, the case of the Brompton County Court, which would have to deal with the electors in a number of Parliamentary divisions, the time of the court was practically fully occupied from Monday to Friday and he thought there would be difficulty in getting time wherein the electors could ask that their votes should be corrected on the register. Did the right hon. Gentleman really think that the ordinary elector would take the trouble to go from any of the boroughs to Brompton County Court and hang about all day for the purpose of getting these corrections made? He was very much afraid that the majority of them would not do so, and the result would be that a number of persons who were entitled to vote would be disfranchised. A voter could go to the High Court, but the right hon. Gentleman must be aware that an originating summons could not be taken out there at a smaller fee than 10s., and no one without some knowledge of legal procedure would know how to act in the matter. It seemed to him that the right hon. Gentleman should formulate by Order in Council a more simple means of getting these matters put right. He should go further into the details of the machinery and see what would be the exact cost to voters when they applied to the courts in the first instance. The whole of the procedure must be cut and dried in the most detailed manner if the right hon. Gentleman wished the Act to be a success. Everyone who had had to do with elections knew perfectly well that electors, unless directed in the clearest manner, very often went wrong. It would be difficult for a voter to apply to the court without legal aid to get this matter put right. Contrary to the view of the right hon. Gentleman, he believed there would be a large number of cases, and that the work of each court would be considerably increased by the new duties thrown upon them by the Bill. He should not be surprised if the right hon. Gentleman heard from the judges and registrars that there was not time at present to do the work of the courts adequately, and that they could not properly undertake further work. He begged to move.

Mr. COURTHOPE (Sussex, Rye), in seconding the Amendment, said every facility should be given to the electors to make these corrections. He understood from what the right hon. Gentleman said yesterday that it was his intention that this new clause should be really effective, and that the right to make a selection should be easily exercisable. He therefore urged the acceptance of the Amendment, or something analogous to it, so that ample facilities might be given to have corrections made in an easy and reasonable manner.

Amendment proposed to the clause—

"In line 37, after the word 'or,' to insert the words, 'the Lord Mayor's Court in the city of London, the Court of Passage in the city of Liverpool, and the Palatine Courts in the counties of Lancashire and Durham."—(*Sir William Bull.*)

Question proposed, "That those words be there inserted in ths clause."

MR. HARCOURT said a most extraordinary misapprehension seemed to have arisen in the minds of hon. Members opposite on this matter. The hon. Member for Hammersmith had expressed great alarm as to the congestion which might be caused in the county courts. Voters would not bring their cases to the county courts at all except in rare instances where it would be a special convenience to do so. The hon. Member had not read the new clause or listened to his explanation. Voters could go to the High Court or to a court of summary jurisdiction. That meant that they could go to a public court or to a bench of magistrates sitting anywhere.

SIR WILLIAM BULL asked whether the right hon. Gentleman suggested that voters could go to the various police courts around, say, Brompton County Court.

MR. HARCOURT was understood to reply in the affirmative. He could not see that there was anything to be gained by including the Lord Mayor's Court in the city of London. There were two courts of summary jurisdiction sitting in the city every day in the year, and there were courts of summary jurisdiction in Liverpool more suitable and also cheaper than the Court of Passage. The Palatine Courts were really local courts with Chancery jurisdiction, and they would not be suitable for this purpose, especially where the voter would be able to find courts of summary jurisdiction close at hand. The hon. Member for the Blackpool division of Lancashire had given notice of another Amendment to include the Tolzie Court in the City of Bristol. That was an inferior court of record for the trial of civil actions. As to these special courts generally, he was certain that in no case was it desirable that they should be mentioned in the clause, the wording of which was, he considered, already sufficiently wide.

SIR FREDERICK BANBURY (City of London) said he was inclined to agree with the right hon. Gentleman that people who had omitted to make a claim, or who desired to alter a claim, would go to the police court. That was only their opinion, and neither the right hon. Gentleman nor himself could know exactly what course these people would pursue. The right hon. Gentleman seemed to think that a very small number of people would go to court. He himself thought there would be a large number of cases, and the result would be that these unfortunate people who had committed no fault would have to go to the police courts and wait until the vaccination cases and the night charges had been disposed of, when their applications might possibly come on. If the object of the Bill was to put as much difficulty as possible in the way of plural voters in order to discourage them from voting at all in any place he thought the right hon. Gentleman would accomplish that object. If ordinary persons had to go to a police court in order to get their vote the chances were that very few people would take the trouble to apply. He hoped the right hon. Gentleman would accept the Amendment. It was not against the principle of the Bill. It was a very mild and modest Amendment, and the right hon. Gentleman might very well make the concession to the minority. It had been said that there were two courts of summary jurisdiction in the City of London; but he would point out that there were 30,000 voters in the City of London, 25,000 of whom were probably plural voters. Those two courts were always busy, and how could they deal with all those cases in addition to their other work? If the right hon. Gentleman accepted the addition of the Lord Mayor's Court it would only extend the facilities which voters would have of putting themselves on the register for the City of London.

THE CHANCELLOR OF THE EXCHEQUER (Mr. ASQUITH, Fifeshire, E.) said he had listened with great interest to the remarks of the hon. Baronet, from which he gathered that the hon. Gentleman admitted that the vast majority of his constituency were plural voters. He did not know whether, when this Bill became law, that great majority would select to vote in the City of London.

SIR FREDERICK BANBURY said he was afraid not.

MR. ASQUITH said that that was a matter of speculation. The hon. Baronet had failed to observe that they were not dealing with the case of 25,000 voters, but only with those who failed to make a selection on account of absence, illness, or any one of the other accidents and contingencies provided for in the Bill. Were these gentlemen to be excused from the ordinary duty of the plural voter, viz., to make their selection at the proper time? He must assume — the hon. Baronet's knowledge of these voters was more intimate than his—that the majority of them would perform their statutory duty and make their selection; and therefore they were here dealing with an insignificant minority. If that were so, could any provision be more adequate to meet the case of that minority than that proposed by his right hon. friend? When the Bill was in Committee the only demand made was that there should be an application to the High Court; but the right hon. Gentleman had gone beyond that demand and provided an appeal not only to the High Court but to the county court or any other court of summary jurisdiction. The Amendment was to add to these the Lord Mayor's Court in the City of London.

SIR FREDERICK BANBURY: It is a court of record.

MR. ASQUITH said it was a very respectable court, no doubt. It was a long time since he had practised in it, but he thought it only sat comparatively rarely, and his experience of it was that it was often congested with business. On the other hand, they had in the City of London the City of London Court, which was the proper county court for the City, and two courts of summary jurisdiction—one at the Guildhall and one at the Mansion House. To suggest that these three tribunals, each of which was open practically every week day and which were local, were insufficient and that more relief would be given by going to the Lord Mayor's Court was absurd. As he had said on the previous day, he thought the right hon. Gentleman in charge of the Bill had been over-generous in the concessions he had made.

MR. HARMOOD-BANNER asked the mover and seconder to withdraw the Amendment, for it seemed to him that it was very desirable to have uniformity in dealing with these cases. The right hon. Gentleman had said that the police court was a relief court, but it was also the court where illegal voters would be punished.

SIR WILLIAM BULL asked leave to withdraw the Amendment.

Amendment, by leave, withdrawn.

MR. COURTHOPE moved an Amendment, the object of which was to give an applicant the option of applying to a court having jurisdiction either in the constituency he selects or in which he resides.

Amendment proposed to the clause—

"In line 39, at end, to add the words, 'or in which he resides.'"—(*Mr. Courthope.*)

Question, "That those words be there inserted," put, and agreed to.

MR. ARTHUR HENDERSON (Durham, Barnard Castle) expressed his appreciation of the efforts of the right hon. Gentleman in charge of the Bill to remedy the defects which had been pointed out in the previous stages of its consideration. The only fault he found was that in sub-section (b) the right hon. Gentleman did not go quite far enough. His object in moving the addition of a paragraph to the clause was to enable a statutory declaration to be made before the presiding officer of the polling station to which the voter was allotted in the constituency which he desired to select. That addition would remedy a defect which might operate very hardly against the most innocent of plural voters. He had already shown that it would be possible for an ordinary elector to have moved before 15th July into an adjoining division in the same county and the overseers who were anxious to keep him on the county council register might leave him on the old register, while at the same time he was placed on the register of his new constituency. He might not be aware of that fact until he received polling cards or election literature from the candidates in two constituencies when there was no time to make application to a court. He was quite sure that the right hon. Gentleman had no desire to exclude from the exercise of the franchise any voter who had been innocently or accidentally registered in two constituencies; and he hoped that he would extend his generosity by accepting the addition which he proposed. He begged to move.

MR. LUPTON (Lincolnshire, Sleaford) seconded.

Amendment proposed to the clause—

"In line 39, at end, to add after the words last added, the words, '(4) If any person becomes aware that he is registered in more than one constituency for the first time on the day of the poll or such a short time before that day that he has no reasonable opportunity of obtaining an order of a court under this section, he may make before the presiding officer of the polling station to which he is allotted in the constituency which he desires to select, a statutory declaration of selection in the form prescribed by order in council under this Act. A statutory declaration so made shall have the same effect as if the elector had given notice of his selection of the constituency in the manner required by this Act, and the presiding officer shall allow the elector to vote accordingly, and shall transmit any statutory declaration so made before him to the returning officer, and the returning officer shall cause the necessary mark to be made on the register.' "—(*Mr. Arthur Henderson.*)

Question proposed, "That those words be added to the clause."

MR. HARCOURT said that the proposal of the hon. Member fulfilled to the letter the one unfulfilled promise he had made during the Committee Stage. It was left unfulfilled intentionally, because before he had completed his own clause he noticed that the hon. Member had ingeniously and sufficiently met the point. He did not think it was necessary to put it into his own clause, because he was prepared to accept the hon. Member's Amendment which adequately met the case. When declining a statutory declaration for general purposes he had guarded himself specifically with regard to the case of a man who had become acquainted with the fact that he was registered in more than one constituency only on the day of the poll or immediately before it, because that case required different treatment. He did not think so many people would be affected in this matter as had been represented. He, however, accepted the Amendment.

*MR. CLAVELL SALTER (Hants., Basingstoke) suggested that the Amendment, admirable as it was, might be still further improved. The only difficulty which occurred to him in connection with the working of this new sub-section was that the relief was only to be applied when an election was taking place. Somebody would have to determine as to the rights of the voter other than the voter himself, and as the Amendment stood they would have voters arriving at the polling booth on the day of election and placing their cases, with or without assistance, before the presiding officer to the effect that they were plural voters, that they had only recently become aware of the fact, and had had no opportunity in the county court or in the court of petty sessions of making a selection. The presiding officer had many delicate duties to discharge during the polling, but he was not accustomed to exercise judicial duties of this kind. Some presiding officers would be more merciful and some more severe than others, and there would be no uniformity of treatment in such cases. It seemed to him that the duties of presiding officers should not be complicated by this somewhat important and judicial function at a moment's notice. He suggested that the difficulty could be got rid of by striking out the words "for the first time on the day of poll" in order to insert a short space of time before the poll. The time he ventured to suggest was fourteen days, but if a shorter time of ten or seven days were thought better he would be prepared to assent to it.

Mr. WALTER LONG said that yesterday the right hon. Gentleman in charge of the Bill had denounced at considerable length what he seemed to regard as a hideous suggestion that a statutory declaration should be sent to the clerk of the county council or the town clerk upon which they could act. Now, however, he had consented to an Amendment under which the presiding officer in the polling booth was to be called upon to do this task at a moment's notice, under pressure of work. Working men as a matter of convenience at election times voted either in the earlier or the later part of the day, and at those times the polling booth was crowded. How was the officer with the polling booth thus crowded to discharge this delicate duty? He found no fault with the right hon. Gentleman for accepting the Amendment, which tended in the direction which the Opposition had urged all along, but if he thought it was desirable to impose this duty upon the presiding officer in the polling booth he ought to have carried his power still further and enabled an honest man to make a declaration which if it were false would land him in penalties. The presiding officer must, it appeared, accept that declaration, and therefore the whole thing came down to a question of the number of these pluralists. The Government flattered themselves that there were not going to be many, but they would find that there were a large number of men who had dual qualifications. Owing to the complexity of the electoral system these men would not know anything about their rights. The House ought not, he considered, to put obstacles in the way of a man obtaining and exercising a vote.

Mr. HARCOURT said that when he declined to accept the statutory declaration he particularly saved himself in regard to this particular case, and it was because he wanted to deal with the rare emergencies that he had accepted the proposal before the House, The right hon. Gentleman seemed to have misunderstood the Amendment. The presiding officer would have no authority to enter into an inquiry, because the voter had made a statutory declaration, and any person who was or was likely to be aggrieved would have his remedy at law.

Mr. STUART WORTLEY (Sheffield, Hallam) said another point had been lost sight of in the course of the discussion. During the late hours in the polling booth the demands on the attention of the presiding officer were very heavy, and it was important that some provision should be made for the case of a man who coming with a claim to vote did not bring his statutory declaration with him. Was the presiding officer to keep a form? If not, the provision would lead to fraud, intrigue, and chicanery to a serious extent.

Lord R. CECIL (Marylebone, E.) ridiculed the idea that the presiding officer would have no judicial function to exercise when the statutory declaration was handed to him. The proposal was that if any person became aware that he was registered in more than one constituency for the first time on the day of the poll, or such a short time before that day that he had no reasonable opportunity of obtaining an order of a court under this section, he might make a statutory declaration. It would therefore be necessary for the presiding officer to satisfy himself upon those points, and to that extent exercise judicial functions. There must be some check of this kind, otherwise difficulties must arise such as had been pointed out. The hon. Member for Hythe had an Amendment on the Paper in which he suggested that the application should be made to two justices of the peace, but that was not necessary. There would be no difficulty, however, in having one justice of the peace. There might be a justice of the peace kept ready for an emergency in one of the committee rooms, and the voter would go not into the polling booth at all, but into the committee room for a moment or two before the justice, and having satisfied him and gone through the necessary formalities, make a statutory declaration and hand it in to the presiding officer. He thought it would lead to confusion and chicanery if the declaration was made in the polling booth itself.

SIR FREDERICK BANBURY congratulated the hon. Member for Barnard Castle upon his success with this Amendment. It, however, cast rather a curious light upon the proceedings. All who had sat through the debates on the Committee stage would remember that when hon. Members on the Opposition side of the House pointed out the evils that might arise they were received with the derisive laughter of hon. Members opposite and hon. Members below the gangway. So long as only the rich man was affected nobody cared whether he got his vote or not, but six weeks consideration had resulted in this Amendment. Hon. Members below the gangway were very anxious when it was thought that a working man might lose his franchise.

MR. ARTHUR HENDERSON reminded the hon. Baronet that so far as he was concerned this Amendment had not been created in the Report stage. He had raised the question in the earliest stages of the Bill.

SIR FREDERICK BANBURY said he referred to hon. Members generally and not to any one in particular. The right hon. Gentleman in charge of the Bill had made the most extraordinary admission that the presiding officer was not to make any inquiries. The result of that would be that any man could go to the polling booth and inform the presiding officer that he was on two registers, but that until a few minutes before he was not aware of the fact, and claim to make a declaration and then vote. The presiding officer was to make no inquiries; in fact he would not have time. He would produce a form and it would be signed by, say, John Jones, who would then vote and go away. But who was to say that the statement of John Jones was correct. Supposing it was found that John Jones had made a false declaration, how was he to be caught? He had effected his object and gone. And if he were caught he could not be proceeded against without an inquiry. John Jones's vote might have decided the election. Without an inquiry the vote could not be challenged and the man could not be caught. It might be, as the hon. Member for Barnard Castle thought, that many of these voters would be people who moved about from one constituency to another and who therefore could not be traced. It might be that they acted quite honestly in signing a declaration which was not correct. He was sure the hon. and learned Member for Perth would endorse everything he said, because the hon. and learned Member did not believe in a declaration at all. Although he (Sir Frederick Banbury) was personally in favour of the Amendment, the hon. and learned Member for Perth would probably divide the House upon it. The hon. and learned Member was against declarations before the County Court Judge, who was capable of making every inquiry, and therefore he could not approve of a declaration made before a man who could not make any inquiry at all. He was inclined to think that a good many false statements must arise under this clause, and that, therefore, there ought to be some machinery beyond the declaration before the returning officer, and that the inquiry which was not made before the returning officer should be made afterwards by some one else.

*MR. R. PEARCE (Staffordshire, Leek) said that, although it was suggested that these declarations should be made before the presiding officer, it seemed to have been overlooked that hardly a presiding officer in the whole of the country had the power to administer an oath. If the word "statutory" was left out and the word "written" inserted that would, he thought, get rid of all the difficulties of the Statutory Declarations Act.

*MR. GEORGE FABER (York) agreed that one of the serious difficulties of statutory declarations was that the presiding officers in most cases had not the power to administer an oath. If, therefore, the elector only made a declaration there would be no penalty; there would be no perjury if that declaration was false. Thus they fell between the two stools. The presiding officer could not administer an oath, and therefore the man could not take an oath. If he could not take an oath, then he could not be prosecuted for swearing to a false statement. All those who had fought contested elections knew that in the hurly burly of the polling booth it was impossible to ask the presiding officer to conduct an inquiry. It was impossible for him to carry out any judicial duties. They all wished to make this Bill work as smoothly as possible, and one way out a difficulty that had occurred to him was to make it part of the declaration itself that the man proposing to vote had only ascertained his disability on the day of the poll or within a short time prior to that date. It should not be left to the presiding officer to find that out.

MR. HARCOURT thought he could clear up a misconception which seemed to have accidentally arisen in minds of hon. Members. The noble Lord appeared to think that the necessary facts were not to be stated in the statutory declaration. Of course they would be set out and the voter would have to come prepared to swear that he had not heard until that day, or that if he had heard before the time was so short that he had not had any reasonable opportunity of obtaining an order of the court. The presiding officer was not asked to make inquiries; he would accept the statement of the voter, which would be sworn. He could not say that he approved of the suggestion of the noble Lord that a justice of the peace should be present to accept not a statutory declaration, but a verbal declaration from voters. If the noble Lord meant a statutory declaration he did not see the object of it, because the voter could make the statutory declaration just as well to the presiding officer. If they got rid of the statutory declaration they would get rid of the penalties which accompanied it. He was not surprised at the point being raised as to whether a presiding officer was entitled to administer the oath. It was a point he had inquired into before accepting the hon. Member's Amendment, and he could state that the presiding officers would have power to administer the oath in these cases.

*SIR CHARLES DILKE said the one difficulty about the provision, although he was glad the Government had accepted it, was the danger of its being used to block the poll in certain circumstances. It was notorious that the illiterates were now used for that purpose. The difficulties raised by the hon. Baronet opposite and other hon. Members on the Opposition side were purely imaginary. The presiding officer was armed with the Bible at the present moment for the purpose of declarations which had to be made under the present law. As to the voter making a false declaration and disappearing, he could vote just as well without making any declaration at all. The voter would make this declaration in order to avoid penalties he would otherwise incur. The voter would have only just become aware, and other persons also, that he was a plural voter, otherwise one party or the other would have told him before. If he had not become aware of the fact he would vote without making the declaration. His right hon. friend had gone a little out of his way to assert that there were very few of these people; but he would produce to his right hon. friend or any Member of the House who was interested in the subject the registers which he had himself examined and which showed the enormous number of these persons. His right hon. friend thought there must be a great many people concerned in these men being on the register. That was not so. There were numerous cases in which men with double qualifications were unaware of the fact. The difficulty arose because voters did not make their own claims. A large number of voters were placed on the register without there being aware that other persons had claimed for them. His right hon. friend thought that the two parties could clear the registers in these cases. In the first place their were very few constituencies where the parties went to the expense of making the immensely costly inquiries that were necessary to clear up all these cases, and in many instances where they knew the facts neither side would object because they did not know enough of the politics of the voters concerned, and so these persons remained on, although their qualifications, if carefully tested, would break down on account of "short time." In a slightly more substantial class of voters also the number of pluralists were very great. He was glad the case had been provided for, but one difficulty not provided for was that the provision might be used for blocking the poll.

MR. AUSTEN CHAMBERLAIN expressed his gratitude to the hon. Member for the Barnard Castle Division for the support he gave him when he raised this question in debate, and said he was now glad to support the hon. Member who had found a form of words that was acceptable to His Majesty's

Government. But that form of words was not without objection. There was a real danger in the possibility to which the right hon. Baronet had just alluded, that the provision would be used to block the poll, and the Government ought to give their serious attention to see whether they could devise a remedy for that. But, with all the objections,he was heartily in favour of the Amendment, because he desired to make it as easy as possible for every man, rich or poor, who was qualified to vote to record his vote at least once. What distressed him about the attitude of the Government in this matter was that so long as the voter could be supposed to be a rich man, or to have more than one qualification, there was no restriction or obstacle they could throw in his way which they did not joyfully put there, and they absolutely refused to him the relief they gave to the man who, *ex hypothesi*, had but one qualification, although his name appeared on two registers by an oversight on the part of the overseers. That man was considered by the Government to be more deserving of consideration than the man who had two qualifitions and whose name rightly appeared on the two sets of papers, but who, under this Bill, had to make a selection.

MR. HARCOURT said it was a matter the voter could find out at the last moment. It would have nothing to do with his vote or the validity of his qualification.

MR. AUSTEN CHAMBERLAIN said it was only when it was pointed out to the right hon. Gentleman that there were men of this kind amongst the voters with only one qualification that he gave the slightest sign of any willingness to consider the case. He could not help contrasting the attitude of the Government towards other proposals for making it easier for properly qualified men to record one vote. He regretted that the right hon. Gentleman had not met the Opposition in as amicable a spirit when they desired to secure the technical right of the voter, not to vote more than once, but to vote a single time. Might he ask the right hon. Gentleman to answer the questions that were put to him? He assumed it to be the intention of the Government that the presiding officer should have the statutory form printed and supplied to every voter who asked for it without any fee.

MR. HARCOURT: Yes.

*MR. COURTHOPE moved an Amendment to the proposed Amendment of the hon. Member for Barnard Castle with the object of enabling the voter to make a selection before the presiding officer of the polling station at which he was qualified to vote in the constituency which he selected, in the form prescribed by Order in Council under the Act. Although he did not attach very much importance to his Amendment, it would, he thought, remove some of the objections which had been raised to the form of the Amendment of the hon. Member for Barnard Castle. Had it not been for the fact that the right hon. Gentleman had told the House that after taking advice he found that the presiding officer would be able to administer the oath he should have pressed his Amendment. Now, however, a great deal of its importance was removed, though he still thought his Amendment provided a better and more simple form of words. He begged to move.

CAPTAIN CRAIG (Down, E.), in seconding the Amendment, said he quite understood the difficulty of making this clause meet all demands.

Amendment proposed to the proposed Amendment to the clause.—

"In line 4, to leave out from the word 'section,' to end, and insert 'it shall be lawful for him to make a selection before the presiding officer of the polling station at which he is qualified to vote in the constituency which he selects, in the form prescribed by Order in Council under this Act.' "—(*Mr. Courthope.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment to the clause."

MR. HARCOURT thought the hon. Member would see that this was not a desirable Amendment when he pointed out that its effect would be to remove the statutory necessity for a declaration. In order to prevent the concessions made to the hon. Member for Barnard Castle being turned to fraudulent uses, it was necessary that they should be safeguarded by a statutory declaration. If they were going to insist upon this declaration it was only fair that it should be in the Act and not provided for afterwards by the Order in Council.

Mr. COURTHOPE asked leave to withdraw his Amendment.

Amendment to the Amendment, by leave, withdrawn.

Proposed words added to the clause.

Clause, as amended, added to the Bill.

New clause :

"A prosecution for an offence against this Act shall not be instituted except by or with the consent of the Attorney or Solicitor-General." —(*Mr. Harcourt.*)—

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

*Sir CHARLES DILKE did not think they ought to allow these words to pass without pointing out that the Act was likely to be a dead letter owing to the extreme difficulty of obtaining a conviction for breaches of its provisions. Legislation on these lines would prove to be a disappointment to the country, because at the present moment where duplicate voting occurred it was perfectly notorious that breaches of the law took place. The practice varied very much in different counties. In the constituency of North Herefordshire it was admitted at the Revision Court by the agents of both parties that forty-one duplicate voters voted twice at the last general election. If such a breach of the law occurred when enormous penalties attached to the offence, how much more would the breach of this law be practised when they had to prove that it was done knowingly. The cases in which proof would be forthcoming would be very few, and it would be almost impossible to secure a conviction. The words they were now discussing still further weakened the probability of prosecutions, and he feared that legislation on these lines would be a failure.

Question put, and agreed to.

Mr. Harcourt

Clause read a second time, and added to the Bill.

New clause—

"In the application of this Act to Ireland—'(1) Sections eighty-eight and ninety-three of The Representation of the People (Ireland) Act, 1850, shall be substituted for sections eighty-one and eighty-six respectively of The Parliamentary Voters Registration Act, 1843; and (2) Section three of the Parliamentary Registration (Ireland) Act, 1885, shall be substituted for section seventy-six of The Local Government Act, 1888; and (3) The clerk of the peace shall be substituted for the clerk of the county council or town clerk; and (4) The expressions 'Attorney-General,' and 'Solicitor-General' mean respectively the Attorney-General and the Solicitor General for Ireland.'" —(*Mr. Harcourt.*)—

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

Captain CRAIG asked if the adoption of this clause would prevent his moving to leave Ireland out of the operation of the Bill.

*Mr. SPEAKER : Certainly it would.

Captain CRAIG thought in that case he would be in order in arguing that the Act should not apply to Ireland. He wished to point out the disabilities under which a man would labour on account of the long distances he would have to travel to vote through having been placed on two registers, one say belonging to Fermanagh and the other to the south of England. Great expense might be incurred, especially to the labouring man in moderate circumstances who had acquired qualifications in both Glasgow and Belfast. If these men happened to be on that side of the Channel where they had not selected their constituency the expense of crossing the Channel to record their votes would be prohibitive. He considered that was a serious hardship, and one which would appeal to all hon. Members who knew the immense number of dual voters there were in Ireland. Whichever way they looked at it anyone living in Ireland was taxed to an enormous extent as compared with dual voters in adjoining parishes in England. It was never intended that plural voters who were endeavouring to develop industries in Ireland or who went to Ireland to the shooting lodges or to fish should be disfranchised or put to enormous expense as compared with people on this side of the Channel. There were so many flagrant anomalies in the Bill especially when it came to be applied to Ireland that he could not enumerate one half of them. It would be extremely difficult to meet the cases he had cited. He was not one of those who desired separate legislation for different parts of Great Britain, but when a serious innovation was made in the working of the system of Parliamentary representation nothing but a redistribution of seats——

MR. SPEAKER: Order, order! That is wholly outside the scope of the new clause.

CAPTAIN CRAIG said he hoped the Bill would not be made to apply to Ireland where it was neither wanted nor necessary.

MR. T. L. CORBETT (Down, N.) entirely agreed with his hon. friend in the very moderate and reasonable appeal he had just made to the House. He thought that appeal would have had even more chance of success if the hon. Member had pointed out with more emphasis that it was made not only on behalf of dual voters who were wealthy, but also on behalf of a very large number of labourers, who in the harvest season went from Ireland to England and Scotland, and during their residence in those countries became qualified voters. Hon. Members laughed, but that only confirmed what many of them believed, that some hon. Members did not know Ireland well, and did not take the trouble to inquire into the conditions. He said with confidence that there were a large number of plural voters among the labourers of Ireland whom this clause would seriously affect. The Government had shown a great disposition to listen to appeals made from the Labour Benches. They had been guided by the Labour Members to a large extent in their policy in regard to Bills brought before the House. Sometimes they had been guided for evil, but by accepting the Amendment of the hon. Member for Barnard Castle they had certainly been guided for good. He would venture to assume the *role* of Labour Member and speak on behalf of labourers in Ireland who were plural voters. Unless this Amendment were accepted a severe blow would be struck at many of these labourers who had crossed to England during the harvest-time and become qualified voters in two constituencies unknown to themselves.

Question put, and agreed to.

Clause read the second time, and added to the Bill.

SIR WILLIAM BULL, in moving a new clause (supply of forms to plural, voters) said that the ordinary elector, who was not a very intelligent person, would find difficulty in regard to the form in which the selection of the constituency should be made. It was for that reason he proposed that the statutory form should be supplied gratis by the overseers.

SIR FREDERICK BANBURY, in seconding the Motion, said he presumed the right hon. Gentleman would accept the new clause, which applied to all classes of voters, as he had already accepted something similar in the Motion proposed by the hon. Member for Barnard Castle in regard to working class voters. There were no doubt electors who did not know what course they ought to pursue, and they would not take the trouble to draw up a form themselves. If the forms were supplied gratis there would be additional cost thrown on somebody—he supposed it would be the State—but they must submit to it. The least they could do was to put the people concerned to as little expense as possible.

New clause:—

"That the statutory form be supplied by the overseers gratis to all plural voters."—(*Sir William Bull*)—

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. HARCOURT said he agreed that there should be a form provided gratis for voters, but he thought for three reasons this new clause was not necessary. In the first place, they were not going to make it a statutory form; secondly, it should not be supplied by the overseers; and thirdly, it should not be limited to plural voters only, but should be supplied to anybody who might apply on their behalf. All that would be provided for in the Order in Council. It was not necessary to put the provision in the Act as they did not make it a statutory form.

SIR WILLIAM BULL asked leave to withdraw the Motion.

Motion and clause, by leave, withdrawn.

SIR E. CARSON (Dublin University) said that the new clause he had to propose raised the question as to whether the clerk of the county council or the town clerk of a borough ought not to serve on any elector whose name appeared on the register for the first time a notice that his name appeared on another register. Having regard to the new clause inserted by the Government it became doubly important that a person whose name was inserted on a register for the first time should, if the name appeared on another register, have an intimation that he must select the constituency in which he wished to vote. His Amendment would enable such a person to apply to the court to get his right to vote in one of the constituencies. The obvious reason for putting down the Amendment was that a man's name might come on the register after 5th September, the day on which he must serve his notice as to selection, and he might be thereby disqualified. Then there was the case of a man in a University constituency who came on the register automatically. He thought his Amendment was a perfectly reasonable one. He knew that the right hon. Gentleman would say that it would put a great deal of labour on the county council and borough town clerks; but that was no answer at all.

New clause—

"Where the name of any person is inserted on the register of Parliamentary voters for the first time the clerk of the county council or town clerk shall serve a notice of the fact on such person, and shall thereby give him notice that if he is registered in any other constituency it is necessary to serve a notice in accordance with and in the form and manner prescribed by the first section of this Act."—(*Sir E. Carson.*)—

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. HARCOURT said that the hon. and learned Member had contended that it was no answer to his Amendment that it would involve a great deal of labour on the county council and town clerks; but he insisted that the adoption of the Amendment would put too great labour and responsibility on those clerks. They would be asking the clerks to do something impossible. How were the clerks to know that a man was on the register for the first time? It was true that a man might not have been on the register for the previous year, but he might have been at a former period and his name had been dropped out. How far were the county council and town clerks to go back and search old registers in order to find out whether a man was on the register for the first time? He thought the right hon. and learned Gentleman must realise that this was a clause which could not reasonably be added to the Bill.

MR. WALTER LONG said that his right hon. and learned friend, in moving the adoption of his Amendment, had again shown how many were the difficulties which would arise in the practical application of this Bill. No doubt the Amendment was open to some criticism, but there were plenty of cases which justified it. He himself had been placed, without his knowledge, on the register of a county division when he had no right to be put there. When informed of it by a relative he wrote to the county clerk and explained that he had no electoral qualification in that division; but three years afterwards the same mistake was made. Who was to bear the responsibility of those mistakes and incur the penalties which might follow if this legislation was passed? For the first time it was proposed to enact that the possession of two votes was to expose a man to all sorts of penalties if he had not made the declaration required by this Bill. The right hon. Gentleman said that it would not be possible for a clerk to find out whether a man was on the register for the first time; but surely State officials should do the work which the ordinary voter could not possibly do. For Party purposes the Government were trying to prevent a man giving more than one vote. If that was what was meant they were at the same time exposing a man, not only to the possibility of disfranchisement, but to serious penalties if he happened to have two votes. As the Government had accepted the Amendment of the hon. Member for Barnard Castle they might accept that of his right hon. and learned friend.

*MR. CLAVELL SALTER said that under the Bill a plural voter without guilty intention might be subject to serious penalties and be disfranchised. That being so, was it not common justice to warn him of the dangers which surrounded him? He ventured to say that the Amendment of the right hon. and learned Member for Dublin University would secure that. There had been several suggestions as to how the warning should be given to the new voter, but the only complete way was to appoint other officers if the county clerks and the town clerks were unable to do the work. He sincerely hoped that his right hon. and learned friend would press his Amendment to a division. The cynical refusal by the Government to accept the Amendment only revealed once more the true motive for introducing and pushing this Bill through the House.

LORD ROBERT CECIL thought that the Government would do well to take the Amendment into serious consideration. The right hon. Gentleman in charge of the Bill had asked—

> "How was the county council or town clerk to know whether a voter was on the register for the first time?"

If there was any doubt about it, all the clerk had to do was to send a note to the new voter and ask him whether he had been on the register before. But the real reason why he supported this clause was that he believed the Bill was going to add enormously to the expenses of Parliamentary candidates. That consideration had not, he believed, been sufficiently kept in view by the Government. Under recent Acts the actual costs of a contest had been considerably reduced; but that was not the most serious burden which a candidate had to bear, especially in some constituencies where for a period preceding the contest the machinery had to be prepared, the Party organisation kept up, and registration seen to. All that was a serious burden already on candidates; but that burden would be enormously increased by this Bill unless there was some official liability to give notice to the plural voter that he must take steps to retain his qualification. This meant an enormous addition to Party machinery, and he looked upon any such addition as a very bad thing from many points of view. He did not think the Government had given due consideration to that question. What they had to consider was whether they were going to leave the carrying out of this Act to private organisations in the different constituencies or whether they were going to say that it was the duty of the State to see that the measure was carried into operation. This Parliament had already passed Resolutions in favour of placing upon the State the expenses of the returning officers and for the payment of Members, in order to enable all citizens whatever their wealth might be to become Members of Parliament, and yet this same democratic assembly was now engaged in putting up a barrier far higher than any that now existed against a man of moderate means entering the House. That was rather a remarkable position to be taken up by what had been so often described as a great democratic Parliament. He invited the Government to consider the matter from that point of view, and even if they did not approve of the machinery suggested to see if they could not carry out the object which the House had announced to be one of those which they wished to attain.

MR. LANE-FOX (Yorkshire, W.R., Barkston Ash) said the right hon. Gentleman had raised the question of the great labour that would be involved in carrying out the Amendment, but he thought that clerks of the county councils and the town clerks should have the duty cast upon them of giving the warning contemplated by the right hon. and learned Gentleman's proposal. He wished to emphasise the point which his noble friend had made and which he himself made when the Bill was before the House for Second Reading, viz., that this Act would largely increase the cost of elections. That remark was received with derision, as such remarks always were when they were uttered by one who was supposed to represent a wealthy class, but he thought it was necessary that the Government should consider the matter from that point of view. Whatever the motive of the Bill was he was perfectly certain that its effect would not be to make elections cheaper. Any Member who sat for a large and scattered constituency must realise that unless this Amendment was carried the expense of electioneering machinery would be greatly increased. Therefore in the interests of those whom right hon. and hon. Gentleman opposite pretended to represent, and whom from hour to hour they were showing themselves not fit to represent—in the interest of the poorer classes he hoped the Government would give more consideration to the proposal than they had hitherto done.

SIR FREDERICK BANBURY said this was an extremely important Amendment, and one which he would have thought would appeal to Members on both sides of the House, because the Bill undoubtedly was going to add immensely to the expense of registration. This consideration apparently did not appeal to hon. Members below the gangway, because they seemed to be under the impression that they were going to put the additional cost upon the unfortunate taxpayer, and so long as he had to pay they did not care how much money was wasted on these matters. He understood that the right hon. Gentleman in charge of the Bill had given as his only reason for refusing to accept the Amendment that it would put considerable labour and trouble upon the clerks of the county councils or the town clerks, and that it would be practically impossible for those officials to carry out the work. He would point out, however, that it would be extremely easy for the clerk of the council or the town clerk to carry out what was suggested. All they had to do was to find out how many voters had been added to the register. They had only to take last year's register and compare it with the present, but if that was too much work for them they could go to the overseers and ask how many people they had put upon their lists, and find out also what number of people the revising barrister had allowed to remain on those lists. That was an extremely simple process. What was a town clerk appointed for if he was not to take any trouble in regard to matters such as were dealt with by the Bill? If this work was left to the Party agents, plural voters would obtain a vote only in those cases where the Party agent, Liberal or Conservative, happened to be energetic and the prospective candidate was a rich man. An energetic and capable Party agent with large funds at his back would no doubt take the trouble to inform all the persons who were on the register for the first time that they were plural voters, and the candidate who had the longest purse and the most efficient agent would benefit. It was not desired to make admission to Parliament contingent on a man's having a long purse, but unless the Amendment were accepted a man with such a qualification would have a very great advantage. He could not understand how hon. Members opposite could oppose an Amendment which would have the effect of putting people on an equality. He could not, moreover, see why the right hon. Gentleman was so concerned lest the town clerk or the county council clerk should have to do some additional work. The number of voters added to the list every year was not large. In a constituency of 10,000, the number would not be more than 1,000 or 1,500 at the outside. Surely it was not a very large task for a person to find out who the plural voters were. He hoped it was not too late to appeal to the right hon. Gentleman to accept the Amendment, the only result of which would be to put people more or less on an equality.

*MR. HICKS BEACH (Gloucestershire, Tewkesbury) hoped the Government would reconsider their decision. As the right hon. Baronet the Member for the Forest of Dean had pointed out, people were very often placed upon the list against their will and in spite of their protest. There were scores of people who got upon the register without their knowledge, for in numbers of cases claims were not signed by the electors but by an agent; and on that account, in order to prevent people becoming liable to be charged with the offence of personation or other illegal practices, that notice should be given to them. The fact that many voters remained on the register when they presumed their names had been removed must also be taken into account; for what happened in cases where only one Party was represented at the Registration Court was that the agent who appeared objected to and got struck off the lists the voters for the opposing Party, whereas the claims of those who belonged to his own Party remained on the list. If in some cases, therefore, voters were not removed from the list when they thought they had been, and were put on another list without receiving any intimation of that fact, numerous charges of personation would arise which might have been avoided by the acceptance of the Amendment.

MR. AUSTEN CHAMBERLAIN said the right hon. Gentleman in charge of the Bill had a wide experience of elections and the work of registration in various constituencies, but it could be wished that he would extend his purview to other constituencies where an entirely different system prevailed. There were a great many constituencies where the Party agents did no work in the Registration Courts at all; where year after year no expenditure was incurred for registration. Those were the best seats which Members of this House could occupy. High as the expenses of contests usually were the greatest strain put upon Members was that of maintaining the Party organisation from one election to another, and when that strain was intensified by the costs of registration it became intolerable to a poor and most burdensome to a rich man. He had ventured on a former occasion to describe the Bill as one to amend the criminal law and create new offences; he would not now be going too far in describing it as a Bill for rendering the work of registration and the maintenance of Party organisation more onerous than ever. Here was work that had to be done, work which the right hon. Gentleman thought was too difficult and costly to put on the public authority, and consequently the agents of the Party organisations were to have it thrust upon them. They were not the proper men to make a register; their work ought to be strictly limited to checking a register made by some one else. The Bill proposed to thrust upon those men work altogether outside their proper sphere. He joined in the appeals that had been made to the right hon. Gentleman to reconsider this question.

*SIR CHARLES DILKE said he supposed the eloquent speeches to which the House had listened were made in favour of the rejection of the Bill, because they could not be intended to support the clause. Was it seriously suggested that in the urban portions of the county of Essex a public officer was to search the register of a constituency in which a quarter of the voters changed every year? There were an average of 40,000 electors each in the Romford and Walthamstow Divisions; was it suggested that the register was to be searched by the county clerk of Essex and all the new voters to be ticked? [AN HON. MEMBER: Somebody has to do it.] Somebody had to do it and where cases of plural voting were suspected there might be great difficulties. That was an argument that could not be used in support of this clause.

*THE ATTORNEY-GENERAL (Sir JOHN WALTON, Leeds, S.) said in dealing with these matters they must have some sense of proportion, and the right hon. Member for East Worcestershire in his speech had lost sight of all sense of proportion in treating the dangers which he contemplated. The right hon. Gentleman had suggested that there might be a class of persons possessing two qualifications without being aware of the fact. If that class existed it would be a very limited class, and an intolerable burden could not be placed on public officials connected with the administration of public affairs in order to inform those persons, and to remind them of their obligations under this legislation. In the first place, there would be the laborious comparison of old with new registers, and, in the second, a costly and laborious machinery for the purpose of informing a person for the first time that if he happened to be on some other list he must make a selection in order to exercise a vote. He did not say there was no danger, but he submitted that the machinery proposed was out of all proportion to the danger which might have to be met.

Question put.

The House divided :—Ayes, 89 ; Noes, 338. (Division List No. 440.)

AYES.

Anson, Sir William Reynell
Anstruther-Gray, Major
Arkwright, John Jtanhope
Ashley, W. W.
Baldwin, Alfred
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester)
Barrie, H. T. (Londonderry, N.)
Beach, Hn.Michael HughHicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Bull, Sir William James
Burdett-Coutts, W.
Butcher, Samuel Henry
Carson, Rt. Hon. Sir Edw. H.
Cave, George
Cavendish,Rt. Hn. Victor,C.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord R. (Marylebone, E.)
Chamberlain,Rt.HnJ.A.(Worc.
Cochrane, Hon. Thos. H. A. E.
Corbett, A. Cameron (Glasgow)
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craik, Sir Henry
Dixon, Sir Daniel
Dixon-Hartland, SirFredDixon
Doughty, Sir George
Douglas, Rt. Hon. A. Akers-
Du Cros, Harvey
Duncan,Robert(Lanark,Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Harrison-Broadley, Col. H. B.
Hay, Hon. Claude George
Hervey,F.W.F.(BuryS.Edm'ds
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Kennaway, Rt. Hn. Sir John H.
Kenyon-Slaney, Rt. Hn. Col.W
Kimber, Sir Henry
Lambton, Hon. Frederick Wm.
Lane-Fox, G. R.
Law, Endrew Bonar (Dulwich)
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Rt.Hn.Walter(Dublin,S.
Lowe, Sir Francis William
Lyttelton, Rt. Hon. Alfred
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Moore, William
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield
Pease, HerbertPike(Darlington
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Rawlinson, John FrederickPeel
Remnant, James Farquharson
Roberts, S. (Speffield,Ecclesall
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.
Smith, Abel H.(Hertford, East)
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Stone, Sir Benjamin
Talbot, Rt.Hn.J.G.(Oxf'dUniv
Thomson, W. Mitchell-(Lanark
Thornton, Percy M.
Tuke, Sir John Batty
Vincent, Col. Sir C. E. Howard
Warde, Col. C. E. (Kent, Mid
Wilson, A. Stanley(York, E.R.)
Wolff, Gustav Wilhelm
Wortley, Rt.Hon. C. B. Stuart-
Wyndham, Rt. Hon. George
Younger, George

TELLERS FOR THE AYES—Sir Alexander Acland-Hood and Lord Balcarres.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Ainsworth, John Stirling
Allen, Charles P. (Stroud)
Ashton, Thomas Gair
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow,JohnEmmott(Somers't
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bellairs, Carlyon
Benn, W.(T'w'rHamlets,S.Geo.
Bennett, E. N.
Berridge, T. H. D.
Bertram, Julius
Bethell, SirJ.H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, Arthur W. (Bedfordshire
Boland, John
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brunner, J.L.F.(Lancs., Leigh)
Brunner, Rt.Hn.SirJ.T.(Chesh.
Bryce, Rt. Hn.James(Aberdeen
Bryce, J. A. (Inverness Burghs)
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Campbell-Bannerman, Sir H.
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Churchill, Winston Spencer

Sir John Walton.

Clough, William
Clynes, J. R.
Coats, Sir T.Glen(Renfrew, W.)
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Collins, SirWm.S.(J.Pancras,W
Condon, Thomas Joseph
Corbett, CH.(Sussex,E.Grinstd
Cornwall, Sir Edwin A.
Cory, Clifford John
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Crombie, John William
Crossley, J.
Dalziel, James Henry
Davies, David(MontgomeryCo.
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickinson, W.H.(St.Pancras,N
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Donelan, Captain A.
Duffy, William J.
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Fowler, Rt. Hon. Sir Henry
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone, Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gulland, John W.
Gurdon, Sir W. Brampton
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Hardie, J.Keir(MerthyrTydvil)
Hart-Davies, T.
Haslam, James (Derbyspire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T.Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hobhouse, Charles E. H.
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, W.Bateman(Somerset,N
Horniman, Emslie John
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Jardine, Sir J.
Jenkins, J.
Johnson, W. (Nuneaton)
Jones, SirD.Brynmor(Swansea)
Jones, Leif (Appleby)
Jowett, F. W.
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford)
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Leese, SirJosephF.(Accrington)
Lever, A. Levy(Essex,Harwich
Lever, W.H.(Cheshire, Wirral)
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Macdonald, J.M.(FalkirkB'ghs
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah(Down,S.)
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kenna, Reginald
M'Killop, W.
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Massie, J.
Massie, C. F. G.
Masterson, C. F. G.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Mond, A.
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morley, Rt. Hon. John
Morrell, Philip
Morse, L. L.
Myer, Horatio
Napier, T. B.
Nolan, Joseph
Norman, Sir Henry
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M.(Suffolk,Eye)
Philipps, Col.Ivor(S'thampton
Philipps, Owen C. (Pembroke)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, RobertJohn(Norfolk, E.)
Priestley, W.E.B.(Bradford,E.)
Rainy, A. Rolland
Raphael, Herbert H.
Rea, Russell (Gloucester)
Rea, Walter Russell (Scarboro'
Redmond, John E.(Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards, T.F.(Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Roberts, Charles H. (Lincoln)
Roberts, John H. (Denbighs.)
Robertson, Rt. Hn. E. (Dundee
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Scott, A.H.(Ashton under Lyne

Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick, B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sinclair, Rt. Hon. John
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Soares, Ernest J.
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn. A. Lyulph (Chesh.)
Steadman, W. C.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Abel (Carmarthen, E.)
Thomas, Sir A. (Glamorgan, E.)
Thomasson, Franklin
Thompson, J.W.H.(Somerset, E
Tillett, Louis John
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Verney, F. W.
Wadsworth, J.
Walker, H. De R. (Leicester)
Wallace, Robert
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent)
Ward, W. Dudley (Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney)
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, J. (Glamorgan)
Wilson, Hn. C.H.W. (Hull, W.)
Wilson, Henry J. (York, W. R.)
Wilson, J. H. (Middlesborough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. COURTHOPE moved a clause with the object of securing that the registers should be marked in any case, quite irrespective of the failure or otherwise of the plural voter to make his selection. It was manifest that after a Bill like this had been passed, by which a very large number of qualifications would cease to operate, so far as permitting voters to register their votes was concerned, it would be very important that the registers should be so marked that the number of plural voters could be ascertained. It was manifestly undesirable—and he thought the right hon. and hon. Gentlemen opposite would agree with him—in the interests of economy in the conduct of elections, that the election expenses should be calculated on the total number of qualifications on the register and not on the total number who would be able to vote. It would also be a matter of great convenience to revising barristers, to the Party agents, and to many other officials, presiding officers at polling stations and so on, that they should be able to tell at a glance, by looking at the register, whether a person was or was not also registered elsewhere. It might possibly be contended that this would involve expensive machinery. He did not think it necessarily would, but he thought even if a certain expense were involved by the carrying out of the clause, it would be more than justified by the enormous convenience and great economy which would be effected. He was sure the right hon. Gentleman in charge of the Bill did not want unnecessary expense to be incurred either in the preparation of the register, the work of the revising barrister, or by the contending parties at the time of an election.

New clause—

> "The clerk of the county council or town clerk who is responsible for the printing of the parliamentary register of any constituency, shall, before the first day of August preceding the commencement of the year in which the register is to begin to take effect, mark the name of every person who is entered on any register of parliamentary electors for another constituency where it appears on the register in the manner prescribed by Order in Council, made under this Act, and shall keep the name of that person so marked in the register for every subsequent year so long as the name of that person continues without interruption to be included in both the said registers."—(*Mr. Courthope.*)—

Brought up, and read a first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. HARCOURT said the hon. Member had not explained to the House how he imagined or intended that the clerk was to obtain the knowledge it was necessary he should have in order to carry out the provisions of this clause. What the hon. Gentleman suggested was that the clerk should mark the name of every person who was entered on any other register of Parliamentary electors. Was every clerk to search 669 registers and compare each of them with his own, and having found a similar name to one on his own register, decide by himself whether the owner of the name in each case was the same individual? He agreed as to the desirability of having a clean register, but if so every voter must be compelled after making his selection to send notices of his other qualifications to the proper clerks. That was the only way of obtaining a clean register, or else some great clearing house would be required in London. It was not a matter that could be dealt with in this way, and the Amendment was not one that he could accept. With regard to the question of the undesirability of election expenses being kept up to a high figure by people being on the register who were non-effective voters, the Leader of the Opposition had raised that question, and in compliance with a promise that had been made an Amendment to Clause 4 had been placed on the Paper.

*MR. COURTHOPE said with the leave of the House he would explain the methods by which his Amendment could be carried out. It would only be necessary for the clerk who was preparing the lists, when he found that the address of an elector in the qualification column was not the same as the address in the residential column, to ascertain from the clerk in charge of the lists for the constituency in which the latter occurred whether the elector was registered in respect of his residence. Both clerks would then mark their lists accordingly. It would be a simple and inexpensive process and would not involve sending out notices.

SIR FREDERICK BANBURY suggested that the clerk of the council might send a notice to every voter on the register requesting him to state whether he was on another register. It would be a cumbrous process, but the Bill itself was a cumbrous measure, and he could not see why the suggestion should be refused on the ground that it would be troublesome and inconvenient. The Bill would throw insuperable burdens upon what he regarded as a very deserving class, namely, the plural voter. He thought the right hon. Gentleman might very well adopt the Amendment subject to the suggestion he had made.

MR. AUSTEN CHAMBERLAIN agreed that it would be almost impracticable for the clerk to discharge the duties which the clause would cast upon him. He hoped the House would take note of the declaration made by the right hon. Gentleman that it would be impossible to have a clean register, because the main argument all along had been that it was important that they should have a clean register and that it should be made perfectly clear who had a right to vote and who had not.

*MR. CAVE (Surrey, Kingston) thought the proposed new clause in its present form would not be workable, but suggested that an attempt to clean the register might be made by leaving it optional to the plural voter when he sent in his notice of selection to specify in the notice of selection any other constituencies in which he had a qualification. The clerk of the selected constituency could then be required to send to the clerks of the other constituencies so specified a notice to the effect that the voter had decided to vote in the selected constituency, and the clerks of the other constituencies could then put a mark on the register showing that the person in question was a plural voter, and was not entitled to vote in that particular constituency. If something of this kind were not done, a man might be canvassed and dragged up to the poll in a constituency not selected by him and then find when he applied for his voting paper that he had no right to vote in that constituency.

SIR E. CARSON said he was afraid that they were rather a divided party in regard to this Amendment. He wished to protest against the suggestion of his hon. friend which would increase the burden already laid on the plural voter. The great difficulty was finding out whether or not a man had voted twice. He agreed with the right hon. Baronet the Member for the Forest of Dean that it would be almost impossible to find out whether or not the law had been broken.

MR. WILLIAM RUTHERFORD (Liverpool, West Derby) said he had had considerable experience in regard to the question they were now discussing. He voted for the Second Reading of the Bill because it seemed to him a matter of equity that the plural voter should be abolished, but he objected to the methods by which that principle was now being carried out. The effect of the Bill without some such Amendment as that under discussion would be to set up dummy registers. He had officiated as Under Sheriff of Lancashire during two general elections, and from practical experience he could assure the right hon. Gentleman that there would be thousands of names appearing on the register as duly qualified voters who were not qualified to vote at all in a particular constituency. He knew of two divisions where there were over 2,500 plural voters in one, and over 1,500 in the other division. This Amendment was an attempt to rectify the unworkable nature of the Bill by providing some machinery under which the dummy voters would either be cleared off or indicated on the register in some practical way. Tremendous expense and inconvenience would be caused by leaving the Bill in its present shape. The returning officer's charges and the cost of the election were based upon the number of electors on the register, and if 25 per cent. were not entitled to vote, why increase the cost of an election by 25 per cent.? All the canvassing for these people would be unnecessary if this Bill were made workable by taking the names of duplicate voters off the registers for the constituencies where they were not entitled to vote. If the names were not taken off altogether, some mark should be placed opposite to them in the constituencies where they were entitled to vote. He looked at this from the point of view of one who would like to see plural voting abolished. Having had a great deal of practical experience in the actual conduct of elections, he could only say that the Bill as at present framed was absolutely unworkable. He was perfectly certain that such an outcry would be raised against it that it would not take long for any Government to repeal it.

Question put, and negatived.

LORD R. CECIL moved the following new clause—"This Act shall come into operation on the first day of January after the next general election, unless before that time an Act shall be passed giving to women the franchise on the same terms and conditions upon which it is enjoyed by men, in which case it shall come into operation on the day fixed for the coming into operation of such last-mentioned Act." He said they had good reason to think that one of the main purposes, or one of the main results of this Bill, would be to diminish the electoral support of the Unionist party and increase the electoral support of the Liberal party. For a Parliament containing a large Liberal majority to endeavour to secure that one Party should continue in power for all time or for a long period was a highly unconstitutional proceeding. It seemed to him essentially the same as attempting to repeal the Septennial Act. Therefore, before this Bill came into operation, it was right that the people of the country should be consulted upon it before the Party now in power succeeded in placing on the statute-book a measure which would work out to their political advantage; at any rate the constituencies should have an opportunity of saying that that was the reason for which they were returned to power. That was the general scope of this clause, but there was one contingency in which he thought the House might fairly think that the Bill should not necessarily be put off until after the next general election. If the Government were to undertake to make a real reform of the electoral law of the country and set the franchise upon a solid and enduring basis, it would be reasonable to say that whenever that Bill came into operation this Bill should also come into operation as part of that great reform. What was nominally really sought to be removed by this Bill? As he understood it, at any rate, that which was put forward by the advocates of the Bill was that there were certain electors who had an undue share in the government of the country—that some, owing to their property qualification, were enabled to have a greater share of representation in this House than others—in other words, that some people were favoured electorally above others. That was an anomaly undoubtedly, if they put it in that way, and he did not say that it was an anomaly which should not in certain circumstances be dealt with. But he did say that in considering the anomalies of our electoral system it did not stand very high. The anomaly was that they gave to a certain class of voters no doubt a preponderance of power, but there was a very much larger class of our fellow countrymen or countrywomen who had no share in the electoral power of the country. No one could say they were in any way less qualified than the present electors to give their voices in the government of the country. They had the same stake in the country, the same intelligence, and the same education.

*MR. SPEAKER: I do not think that the noble Lord would be justified under a clause fixing the date of the operation of the Act to go into a general discussion on the question of woman suffrage. He is entitled to contemplate a Bill for that purpose passing the House, but I do not think he is entitled to go into arguments in favour of it.

LORD R. CECIL said he did not propose to argue the case for woman suffrage beyond saying that this Bill was only intended to remove one of the anomalies of the electoral system, and before it came into operation the House ought to have an opportunity of considering the electoral system as a whole. He was quite aware that it was not very easy to present that argument without to some extent dealing with the question of woman suffrage, but he would endeavour to abide closely by the ruling which had been given and not to deal with it more than was absolutely necessary in order to make his argument clear. This was essentially a disfranchisement Bill. Before they disfranchised one class, they ought to consider whether there was not another class anxiously demanding and entitled to the franchise. Before they made this small alteration, which after all would do no more than deprive people of the vote which they had exercised up to now, they ought to consider whether in the readjustment of our electoral system there were not other people who were entitled to be called to the exercise of the franchise. Before they passed a measure which, after all, would mainly benefit one party, they ought to consider whether there were not other anomalies which affected all parties alike, such as the question of woman suffrage, which really had gained the sympathy and support of hon. Members sitting in all parts of the House. He contended that a reform of that kind had as great a claim to be considered as the one dealt with in this Bill. There were an enormous number of Members pledged to that reform, and he would point out that if they accepted this Bill without endeavouring to force on the House and the Government their claim that women should receive the vote they would never have an opportunity of doing so again. [Cries of "Order."] He ventured to think that that was perfectly in order. The question was whether this Bill should come into operation immediately. It was only in that way that they could secure from the Government and the Chancellor of the Exchequer the reform which they desired. It was only by putting pressure on the Government that many hon. Members opposite could carry out their election pledges. The pledge he gave was embodied in this clause. He said that he would not bring in a Woman Suffrage Bill, but he did say that they had a better claim to be considered than any other class in the country. Hon. Members opposite had given more extreme pledges than that, but he believed that very few of them would vote with him in the division. [Cheers.] Yes, and they gloried in it, because they cared much less for the cause he was pleading on this occasion than they did for the support of the Government. Until reformers outside realised the nature of the support they were receiving in Parliament, they would labour under a delusion which, he feared, they would have to bear with very unpleasant results to themselves. He recommended this new clause to the House because it embodied the opinion which he had endeavoured to impress on the House more than once, and because it would be a test of the political sincerity of hon. Members who sat on the other side of the House.

AN HON. MEMBER seconded.

New clause—

"This Act shall come into operation on the first day of January after the next General Election, unless before that time an Act shall be passed giving to women the franchise on the same terms and conditions upon which it is enjoyed by men, in which case it shall come into operation on the day fixed for the coming into operation of such last-mentioned Act."—(*Lord R. Cecil.*)—

Brought up, and read a first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. ASQUITH said that a considerable portion of the interesting speech to which they had just listened left his withers completely unwrung. He did not pledge himself, when he was before his constituency, to woman suffrage; but he did not think that even those who did pledge themselves need be in the least difficulty about voting against the noble Lord's clause. The effect of it would be to postpone the operation of this Bill, which secured, as they believed, a great and necessary reform in their electoral law, until 1st January after the next general election, unless the contingency which the noble Lord contemplated took place in the meantime. In other words, the probable or, at any rate, the more than possible operation of the clause, if it were carried, would be that, until another general election had taken place, the plural voter was to continue to vote and, indeed, was to have the opportunity of saying, at the next general election, whether he would be a party to his own extinction. That was not the intention of the Government, and he did not believe it was the intention of the House of Commons. This was not a new proposal. It was one to the principle of which the majority of the Party on that side of the House had been pledged for more than twenty years. If ever there was a reform which had been adequately discussed and presented to the people of the country it was this, but the present was the first occasion on which they had had an effective opportunity of seeing it carried into law. He had no hesitation in asking hon. Members behind him, whatever their opinions as to the expediency or inexpediency of woman suffrage might be, to vote against this clause.

MR. A. J. BALFOUR (City of London) thought every one would admit that the Chancellor of the Exchequer had put before his followers the argument which of all others was likely to induce them to follow him into the lobby. He could well believe that nothing would be more disagreeable to hon. Gentlemen opposite than that anything should be deferred until after the next general election. They were aware from Parliamentary history that general election must follow general election, and that a new Government would reverse the policy of that which preceded it. He congratulated hon. Gentlemen in having no illusions as to what would happen at the next general election. The right hon. Gentleman, he thought, was not quite so happy in the earlier part of his speech, in giving reasons why the Amendment should be rejected. He understood that his noble friend who proposed the Amendment was a supporter on the whole of female suffrage, but he had not given the specific pledges which had been given by 420 Members on both sides of the House. His noble friend's view rested on two propositions. The first proposition was of general policy, and it was that, when they were desiring to remove anomalies, they ought, if possible, if they could do so in a practical spirit, to take a wide view of the anomalies that existed, and that, in particular, they ought not to set to work to deal with this relatively small anomaly, which was directed against a particular party, when there were other anomalies in existence which had no party complexion, but which affected much greater and wider interests in the community at large. He had been a consistent supporter of that view when he was unsuccessfully fighting a Manchester seat and through all the debates on this Bill. He was a more ardent supporter of woman suffrage twenty-five years ago, but he had never concealed his opinions either in the House or out of it. The addition of an enormous number of votes to the register was a great change in our electoral system, which now worked well, and he looked at it, therefore, with the caution appropriate to the Party to which he belonged. But the general trend of legislation in this country seemed to him to make it very necessary that on some questions they should have an authoritative representation of the other half of the human race who now, far more than formerly, were brought into direct competition with men in the industrial sphere. That was a genuine argument in favour of the change. But, apart from that, it was quite clear that those who thought they ought to make our electoral system a symmetrical whole, in which they should only consider the exact value of each human being in a community and give each human being his exact proportion of the total political power of the whole community—those who held that hard and fast theory—he thought a very pedantic theory—of our representative system, were bound to support his noble friend's proposal or any other proposal which hastened the day on which this great and undoubted anomaly should be brought to an end. That brought him to the second motive which had animated his noble friend, viz., that it was in vain to appeal to the House and to gentlemen pledged to a particular change unless they could give them some strong motive for carrying out that change. There were 420 gentlemen in the House who were pledged to this change. The Chancellor of the Exchequer had expressed, not in words but in tone, an absolute scepticism as to the possibility of the change being carried out in the present Parliament. The right hon. Gentleman knew perfectly well that, although 420 gentlemen were pledged to it, it would not come to anything so long as this Parliament, under the direction of the present Government, had no motive other than the actual carrying out of their own pledges for seeing the change brought into effect. That other motive his noble friend supplied, and he ventured to say that every one of the 420 gentlemen ought to welcome the stimulus to carrying out their pledges which his noble friend supplied. Promises were easily made but not always equally easily kept. It was because his noble friend, rightly gauging the temperament of these 420 gentlemen, and rightly seeing that there could be no motive applied to them so strong as the motive of getting a Party advantage out of the change, sought to link together the great change, the great reform which had no Party complexion, with a simple change which had nothing but a Party complexion. He seemed to have rightly gauged the motive actuating those 420 gentlemen. Personally, holding that view which he had always held, he should go into the lobby with his noble friend.

MR. KEIR HARDIE (Merthyr Tydvil) thought the only inference to be drawn from the Chancellor of the Exchequer's speech was that this Government did not intend to enfranchise women before the next general election. The question of the enfranchisement of women was of supreme importance, and he should vote for the Amendment now before the House as a protest against the statement made by the Chancellor of the Exchequer. Events out of doors ought to convince Ministerialists that they could not treat this question lightly. Thirty-nine years ago the House of Commons passed a resolution in favour of the enfranchisement of women. He was sorry to hear from the Leader of the Opposition that as he advanced in years he did not advance in wisdom, or, if he advanced in wisdom he did not advance in gallantry. Women's Liberal Associations had been pathetically putting their trust in the present Government, but now they knew that so long as this Government remained in office there was no chance of the injustice to women being removed.

*MR. NIELD denied that this question had in the proper sense of the term been before the country for twenty years, although it might have been discussed in hole-and-corner Liberal caucus meetings and at Radical clubs from time to time, but it could not be said to have been pronounced upon nor had the opinion of the country been taken upon the question. All he knew was that several hon. Gentlemen opposite were commiserating each other in regard to the votes which they would lose under the Bill and did not seem to have a very grateful appreciation of the Government measure, except so far as they thought as a Party they might derive some general benefit from the injury it was expected to inflict upon their opponents. The Right Hon. Gentleman the Chancellor of the Exchequer had said that the electorate had had the question before it for twenty years past, but he appeared to have lost sight of the fact that his Party had not been able to get up very much enthusiasm over the subject. He would remind the Right Hon. Gentleman that for the bulk of the period he mentioned the Radical Party had been wandering in the desert, and so far from the cry of "one man one vote" assisting them to terminate their wanderings it had done nothing for them, and they only found their way out when they invented the fable of "Chinese Slavery" and the imposture of the "big and little loaf."

MR. HOWARD (Cumberland, Eskdale) said he was a keen supporter of woman suffrage, but he proposed to vote against the new clause of the noble Lord because he thought it would do nothing to forward that movement. It appeared to him to pursue a "cut off your nose to spite your face" policy. He believed that this Bill was a democratic measure, and he did not wish to see the effect of a general enactment of this kind postponed until after the next general election, In his opinion the effect of this measure at the next general election would be a valuable one and would forward the democratic cause in the country.

Sir FREDERICK BANBURY said he had a great admiration for his noble friend the Member for Marylebone, whose foresight and capabilities were beyond question, but on this occasion the noble Lord had put him in an extremely difficult position, because if he went to a division, as he supposed he would, he really did not know with whom to vote. He was in favour of the first part of the Amendment, but with the second part he disagreed, and therefore he did not know what course to pursue. He thought, however, as the first part of the Amendment would postpone what was an extremely bad measure, he had better support his noble friend, especially as he thought the second part of his Amendment, which only dealt with an abstract question, would never be brought forward.

Question put.

The House divided :—Ayes, 50; Noes, 278. (Division List No. 441.)

AYES.

Abraham, William (Rhondda)
Acland-Hood, Rt.Hn.SirAlexF
Anson, Sir William Reynell
Ashley, W. W.
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond
Banbury, Sir Frederick George
Banner, John S. (Harmood)
Barrie, H. T. (Londonderry, N.
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bull, Sir William James
Cave, George
Cavendish, Rt.Hn.Victor C.W.
Cochrane, Hon. Thos. H. A. E.
Corbett, A. Cameron (Glasgow)
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Douglas, Rt. Hon. A. Akers-
Du Cros, Harvey
Duncan, Robert (LanarkGovan
Edwards, Enoch (Hanley)
Faber, George Denison (York)
Fell, Arthur
Finch, Rt. Hon. George H.
Gardner, Ernest (Berks, East
Hay, Hon. Claude George
Hodge, John
Houston, Robert Paterson
Jowett, F. W.
Kennaway, Rt.Hn.SirJohn H.
Kimber, Sir Henry
Lockwood, Rt. Hn.Lt.-Col.A.R
Meysey-Thompson, E. C.
Nield, Herbert
Parker, James (Halifax)
Parkes, Ebenezer
Pease, HerbertPike(Darlington
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Rawlinson, John FrederickPeel
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Stone, Sir Benjamin
Talbot, Lord E. (Chichester)
Thomson, W.Mitchell-(Lanark)
Wedgwood, Josiah C.
White, Patrick (Meath, North)
Wilson, A.Stanley(York, E.R.)

Tellers for the Ayes—Lord Robert Cecil and Mr. Keir Hardie.

NOES.

Ainsworth, John Stirling
Alden, Percy
Armstrong, W. C. Heaton
Asquith, Rt.Hn. HerbertHenry
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, Percy (Bedford)
Barran, Rowland Hirst
Beaumont, Hn.W.C.B.(Hexhm
Beck, A. Cecil
Bellairs, Carlyon
Benn, Sir J.Williams(Devonp'rt
Benn, W.(T'w'rHamlets,S.Geo.
Berridge, H. T. D.
Bertram, Julius
Bethell, SirJ.H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black, ArthurW.(Bedfordshire
Boland, John
Bolton, T. D.(Derbyshire, N.E.
Bottomley, Horatio
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J.F.L.(Lancs., Leigh)
Bryce, J. A.(Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Cairns, Thomas
Carr-Gomm, H. W.
Causton,Rt.Hn.RichardKnight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Clough, William
Clynes, J. R.
Cobbold, Felix Thornley
Collins, Stephen (Lambeth)
Condon, Thomas Joseph
Corbett,C.H.(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Cox, Harold
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Crosfield, A. H.
Davies, Ellis William (Eifion)
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dillon, John
Donelan, Captain A.
Duffy, William J.
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Frank (Radnor)
Elibank, Master of

Ellis, Rt. Hon. John Edward
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Findlay, Alexander
Flynn, James Christopher
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Gladstone, Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Greenwood, G (Peterborough)
Grey, Rt. Hon. Sir Edward
Guest, Hon. Ivor Churchill
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen, W.
Henry, Charles S.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hogan, Michael
Hooper, A. G.
Hope, W.Bateman(Somerset,N
Horniman, Emslie John
Howard, Hon. Geoffrey
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, Sir D.Brynmor(Swansea
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
King, Alfred John (Knutsford
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb,Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Layland-Barratt, Francis
Lea,Hugh Cecil(St.Pancras, E.
Leese,Sir JosephF.(Accrington)
Lever, A.Levy(Essex,Harwich)
Lever, W. H.(Chesh. Wirral)
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Lynch, H. B.
Macdonald, J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down,S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Manfield, Harry (Northants)
Marks, G.Croydon(Launceston)
Marnham, F. J.
Mason, A. E. W. (Coventry)
Meagher, Michael
Menzies, Walter
Micklem, Nanthaniel
Money, L. G. Chiozza
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morpeth, Viscount
Morse, L. L.
Morton, Alpheus Cleophas
Myer, Horatio
Napier, T. B.
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Paul, Herbert
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central
Price, RobertJohn(Norfolk, E.)
Priestley, W.E.B.(Bradford,E.
Rainy, A. Rolland
Raphael, Herbert H.
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards, Thos. (W. Monm'th)
Richards, T.F. (Wolverh'mptn
Richardson, A.
Rickett, J. Compton
Roberts, John H. (Denbighs.)
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L.(Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A.H.(Ashton under Lyne
Seddon, J.
Shaw, Rt. Hon. T. (Hawick B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Soares, Ernest J.
Stanger, H. Y.
Stewart, Halley (Greenock)
Stewart-Smith, D. (Kendal)
Strauss, E. A. (Abingdon)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A.(Glamorgan, E.)
Thompson, J.W.H.(Somerset,E
Tillett, Louis John
Torrance, Sir A. W.
Toulmin, George
Verney, F. W.
Wadsworth, J.
Wallace, Robert
Walsh, Stephen
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent
Ward, W.Dudley(Southampt'n
Wason,John Cathcart (Orkney)
Waterlow, D. S.
Watt, H. Anderson
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.).
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Wills, Arthur Walters
Wilson, Henry J. (York,W.R.)
Wilson, J.H. (Middlesbrough
Wilson, W. T. (Westhoughton)
Winfrey, R.
Young, Samuel
Yoxall, James Henry

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

SIR WILLIAM BULL, in moving a new clause providing that an attempt to induce any person to vote as a Parliamentary elector by informing that person without reasonable ground that he was not registered in two or more constituencies, should be considered to be undue influence within the meaning of Section 2 of the Corrupt and Illegal Practices Act, 1883, said that as there would be much difficulty in understanding the Bill, he thought this Amendment was desirable. During election times various stories went about with reference to people not being entitled to vote, and such stories were likely to increase greatly in the future, when men would be uncertain whether they could vote or not. Added to that there was the question of heavy penalties which were to be inflicted under this Bill upon anyone who committed these offences. The result would be that numbers of people, rather than run any risk, would decline to exercise their franchise. That being so, any pressure in the direction of undue influence might have a material effect upon an election, and therefore it was in the interest of purity that such a clause as he now proposed should be inserted in the Bill. He begged to move.

Mr. WILLIAM RUTHERFORD, who seconded, said that when this question was dealt with in Committee he understood the right hon. Gentleman sympathised with the suggestions that were made, and indicated that he would probably provide words to carry out the ideas suggested. On looking through the various clauses and Amendments, however, he had failed to see anything to provide against undue influence. He did not think this Amendment would injure the Bill.

New clause—

"If any person directly or indirectly, by himself or by any other person on his behalf, induces or attempts to induce any person to vote as a Parliamentary elector by informing that person that he is not registered in two or more constituencies knowing that he is so registered, or without having reasonable ground to believe he is not so registered, that person shall be guilty of undue influence within the meaning of Section 2 of The Corrupt and Illegal Practices Act, 1883."—(*Sir William Bull.*)—

Brought up and read a first time.

Motion made, and Question proposed, "That the clause be read a second time."

Sir William Bull.

Mr. HARCOURT said the hon. Gentleman was quite right in saying that although he had spoken sympathetically in Committee, nothing appeared on the Paper in his name. The obvious reason was that it was not necessary. This new clause under discussion was more or less the converse of an Amendment in his name to Clause 1, and was therefore unnecessary, because a person who induced anyone to vote under such circumstances would be guilty of impersonation under two separate sets of circumstances. First, he would be guilty by Section 6, Subsection (2) of the Corrupt Practices Act of 1883 if the agent knew that he was a plural voter—that was the guilty agent and the guilty voter—and he would be also guilty by his new proviso under Clause 1, Sub-section (1) Sub-head (c), if the voter did not know he was a plural voter. In both those cases the persons so inducing would be guilty of the offence of impersonation.

*Mr. COURTHOPE asked whether the right hon. Gentleman would be willing to accept an Amendment in the name of the hon. Member for Ealing, the effect of which would be to include both inducing to vote and inducing not to vote. If the right hon. Gentleman did so he agreed that this proposed clause would be unnecessary; but otherwise he did not see that the right hon. Gentleman's Amendment to Clause 1 at all covered the case which this proposed clause was designed to meet.

Mr. HARCOURT said when they reached his Amendment he would point out that it was unnecessary to accept the Amendment of the hon. Member for Ealing.

Mr. AKERS-DOUGLAS (Kent, St. Augustine's) said that although he sympathised entirely with the motive of his hon. friend in moving this Amendment, he really thought the point was much better met by the Amendment put down by the First Commissioner of Works. The right hon. Gentleman, however, ought to accept the Amendment of the hon. Member for Ealing as suggested by his hon. friend the Member for Rye. They took the right hon. Gentleman's Amendment for what it was worth—meaning no disrespect—but they thought that with the words of the hon. Member for Ealing added it would be very much better.

Question put, and negatived.

MR. STANLEY WILSON (Yorkshire, E.R., Holderness) moved an Amendment to enable a Parliamentary voter to withdraw any selection made by him on giving notice on or before 5th September, and requiring the clerk to send to such voter an acknowledgment of the receipt of such withdrawal. He thought it was only fair that the voter should have this right given to him, and he earnestly hoped the Government would be able to accept the clause.

SIR FREDERICK BANBURY seconded the clause, the effect of which, he said, would be that a plural voter who had chosen his vote in constituency A and found that there was no probability of an election in any given year in that constituency, but that there was a probability of an election in constituency B, in which he was also registered, would have the opportunity of withdrawing his selection from constituency A, and placing it in constituency B. In other words, it would prevent a plural voter from being disfranchised altogether when a by-election occurred.

New clause—

"A parliamentary voter may withdraw any selection made by him on giving notice to the clerk of the county council, or town clerk, having charge of the registers in which such selection was operative on or before the fifth day of September in any year, and the clerk of the county council, or town clerk, shall send to such voter an acknowledgment of the receipt of such withdrawal."—(*Mr. Stanley Wilson.*)—

Brought up and read a first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. HARCOURT said he must condole with the hon. Gentleman on the particular quality of support he received. The hon. Baronet knew there was no offensive intention in what he said. It was only that they had not been able to direct the hon. Baronet's attention with any precision to the clause which he happened to be supporting. The hon. Member who moved this clause had, of course, a very definite idea in his mind as to what he wished to obtain, but unfortunately the two benches that separated the two Members had been an effectual bar to that close communication between those who were taking such an active and intelligent part in the discussion necessary to bring the controversies within the ordinary region of reason and application. The hon. Member had proposed that a voter should be permitted to withdraw any selection he had made up to the 5th September. He thought it was a reasonable proposal, and he had provided for it in an Amendment to Clause 1, which he had on the Paper. He could not imagine what more the hon. Gentleman wished for.

MR. STANLEY WILSON said he should like the right hon. Gentleman to have included in his Amendment the date and also the sending of notice to the voter himself.

MR. HARCOURT thought it would be a pity to insert the date, as it might limit the operation. As to the notice, his Amendment provided that the clerk should send an acknowledgment of the receipt of every notice of selection or withdrawal received by him.

Question put, and negatived.

MR. STANLEY WILSON moved a new clause requiring the overseers to distinguish in the lists of voters those registered in more than one constituency. In this way he submitted they would get a clean register and simplify the work of every body connected with registration or elections. He thought his proposal was quite a reasonable one, and he had brought it forward with an honest intention of preventing dishonesty. If the First Commissioner of Works would give this matter his careful consideration he would at once see the reasons why the suggestion he was making was necessary.

*MR. COURTHOPE, in seconding, said it was highly desirable that they should have a clean register, which would simplify the work of everybody connected with registration, and make it much easier to administer this Bill when it became an Act. Although he preferred the method which he had proposed in his own new clause, this clause would by other means achieve the same object, and he was therefore glad to second it.

New clause—

"The overseers of every parish or township shall in the months of April or May in each year ascertain from every person in their parish or township, entitled to be registered as a Parliamentary elector, whether such person is registered in any other parish or township as a Parliamentary elector, and every person who is a Parliamentary elector in more than one parish or township shall have a distinctive mark placed against his name in the overseers lists of voters."—(*Mr. Stanley Wilson.*)—

Brought up, and read the first time.

Motion made and Question proposed. "That the clause be read a second time."

MR. HARCOURT said this proposal would make it part of the duty of the overseers to undertake a personal canvass of every elector in order to ascertain whether such person was registered elsewhere as a Parliamentary elector, and that, of course, must carry with it the right to prosecute if the overseer did not get a full and true and complete Answer. The Amendment would compel every voter to state all his qualifications and impose a penalty for not doing so. There were other objections of a practical character to the Amendment, which, obviously, was not one that could be put into the Bill.

SIR FREDERICK BANBURY asked the First Commissioner if he had a new clause or Amendment down on the Paper which would carry out the intention of his hon. friend's proposal.

MR. HARCOURT said he should probably have mentioned it if he had.

SIR FREDERICK BANBURY thought that in this case the right hon. Gentleman was right, and the new clause proposed by his hon. friend was a mistake, because it would give a good deal of trouble to the overseers and impose upon them a task which they could not fulfil. The right hon. Gentleman had stated that the work thrown upon the overseers by this Bill would be so great that he was obliged to refuse this new clause. Surely that admission was a tremendous condemnation of the Bill, for it showed that after all they would not get a clean register.

*MR. R. PEARCE (Staffordshire, Leek) who had a similar Amendment on the Paper, urged that the overseer was the only person who could really get the information on which alone a clean and trustworthy register could be drawn up. Nothing could be more unsatisfactory than that candidates should have to fight an election on a register crowded with names of persons who were not entitled to vote in the constituency because they were qualified elsewhere. It would be very inconvenient for both canvassers and candidates if the register was left in such a confused condition that nobody could tell whether or not the persons on it were entitled to vote. He would like to point out the difficulties which the voters themselves would be in when they were considering where they should record their votes. They might find themselves pursued by applications from the political parties in different constituencies, and when the Primrose dame came along in a motor car, followed possibly by the suffragettes in prison dress in a trap, the unfortunate voters would find themselves in a sad dilemma. The voter might drive off with one party or the other, and then discover that he had no right to vote. Nothing could could be more irritating than for a voter to be brought up to the polling station and then find that he was not able to vote. In endeavouring to find a remedy for this state of things hitherto they had been looking to the clerk of the county council, the town clerk, and the registration agent. These were not the right people to deal with this matter. The clerk of the county council and the town clerk were high and dry officials who did not really have to do with this particular matter at all. Registration agents were non-official and only parisitical people, who were employed to try to correct anything that was done wrong by the overseers. It was the overseer who was at the root of the matter. He must be employed to keep the register clean. He thought if the overseer was appointed to deal with this matter they would accomplish what the right hon. Gentleman in charge of the Bill hoped for. They would be able to get a clean register, and surely the right hon. Gentleman would welcome any suggestion which would enable them to do that. A register should be in such a state that everybody could rely on it at election time, and he urged respectfully, but still with persistency, that the only person who could help to do that was the overseer. He made the rate book, and the rate book was the foundation of the registration list. The man who made up the rate book was the man who had to make investigations and inquiries which resulted in a voter ultimately being put on the voting list. There was no difficulty about the overseer getting the information. In the City of London the overseer was the person who put every occupier of single rooms on the rate and therefore on the register. The rate-book was his guide. The overseers were willing and proud of the work they had to do, and the ultimate result was to collect and marshal in order the voting power and public opinion of the country. The overseers, he was certain, did their work thoroughly well. The overseer by personal inquiry found out the place of abode of the voter, and out of 31,000 voters in the City of London 25,000 voters had against their names their actual place of abode. That was done by private inquiry and when that inquiry was made there was nothing more easy than for the overseer to put to the qualifying voter the magic question which would otherwise be put to him at the polling booth, "Are you to your knowledge registered in any other constituency?" The country overseers knew everything about their parishes. In the constituency he represented in North Staffordshire the overseers of the parishes knew all the voters who had plural qualifications. If a man had a field in an adjoining county or neighbouring constituency and was entitled to be on the register the overseer knew it, and the overseer was acquainted not only with the man's residence but with his occupation. They could tell what he had for dinner and what market inn he frequented. There would be no difficulty in the overseer in a county constituency making up a list of plural voters. If they entrusted the overseer to do it he could distinguish these plural voters in the list by distinctive type so that everybody would know that the man was a plural voter. He thought that should be done in order that the voter might not be ensnared into a double vote. The voter was the very last person who saw the list. It was not until the voter came to the polling booth that he knew he was on the list. The best mark of all would be to print the names of plural voters on the register in italics.

MR. WALTER LONG said that the debates had been remarkable for the non-intervention of private Members on the Ministerial side of the House, and he wished to congratulate the Government and the Minister in charge of the Bill that they had now had an exception to the rule. He found himself in a difficulty. He had some sympathy with the object sought to be obtained by the Amendment, but he could not find himself in agreement with the Amendment itself. It had been said that this was a Bill the object of which was to secure "one man one vote." He entirely disagreed that that was the object of the Bill, indeed it was the last object. The object was rather "one man no vote but possibly prison." He had no doubt that the Government might have achieved what was said to be their object with a less waste of time. This was the first occasion in his recollection that an hon. Member had stood up in the House as an advocate for the overseers. Both in his public and in his private life he had had a good deal to do with that wholly underpaid class of public servants, and he was glad that they had obtained such an advocate. The hon. Gentleman had said that the overseers were the only persons who could provide the necessary information. It was perfectly true that the assistant overseers in their different parishes had all the local information without which this Bill could not be carried into effect with justice. He was amazed that the Government, and the supporters of the Government, did not realise what they were doing. There must be thousands of electors who would walk absolutely blindfold straight into the trap that was being laid for them. He did not know whether the overseers had the intimate knowledge of the daily life of the electors alleged by the hon. Member for Leek, but they were in the unfortunate position of being called upon to do a great deal of work for little or nothing, and he did not think that it was quite fair to throw this additional burden upon them. Nobody in the House really wanted to expose a man to penalties because he happened to have two voting qualifications. What was wanted was to prevent a man voting more than once; but the plan of the Bill was the most roundabout way of obtaining that object which he had ever heard of in his Parliamentary experience. He believed that if the Bill passed into law, it would have to be followed by an entire reorganisation of our whole electoral and local government systems, in order that somebody else should be found to do the work which the overseers could not undertake.

Mr. HARCOURT said with reference to the remarks of the right hon. Gentleman in regard to the silence of the supporters of the Government, that that was a silence which the right hon. Gentleman understood in past years. When they were working under closure the supporters of the Government were silent, to allow more time to hon. Gentlemen opposite to criticise the Bill. The right hon. Gentleman had said that he did not remember the guillotine being imposed upon the Report stage; but he himself remembered seeing, from below the gallery, the guillotine being imposed by the late Government not only at the Committee stage but on Report as well. As to the Amendment, it was perfectly true that he did not wish to add to the work of the overseers who had been so ably represented by the hon Member for Leek, but he was not able in this Bill to add to their pay. He had a great regard and respect for the overseers, but the hon. Gentleman would admit that he could not put the spiritual powers of the overseers, which he had specified so fully, into an Act of Parliament. Omniscience had always been the foible of overseers, and now apparently omnipotence was to be added, for the kind of canvass proposed would necessitate that they should not only know where each voter dined and what he drank, but a personal interview in order to discover the facts. He did not envy the lot of an overseer who would have to conduct such a canvass, and such a proposal as this would inflict a hardship and unnecessary labour upon those who were charged with the preparation of the lists.

*Mr. THORNTON (Clapham) said he was quite conscious of the force of the objections which had been put forward, but in a suburban constituency with which he was familiar and which he represented he would like to see the overseers charged with this duty. He would like to tie down the dwelling house occupier and the small lodger as much as possible to the locality, and so secure a strong Residential vote, because there was great difficulty in finding out the qualifications of the elector except by visits. He wanted to know how these personal visits were to be carried on under the machinery which existed. He spoke with some sense of responsibility and some knowledge, and although he had just heard private Parliamentary agents spoken of disparagingly they would loom more largely in the future and become more powerful under the Bill. It would become necessary in the future for a Member to defend his position by means of such agents who at the last moment knew the voters who had a dwelling house franchise and who had gone into another constituency. The task of following these voters was far beyond a private Member's ability or purse, and involved a policy contrary to that which his Radical opponents professed to support. They all desired that elections should not be made dearer and also to put them on a plane which would lead to citizens with ordinary purses having a chance of entering Parliament. Under this system, however, the cost would be much greater unless the overseers were employed.

MR. WILLIAM RUTHERFORD contended that, if this proposal were carried out, there would be the advantage that on the list of voters plural voters would be shown by a distinctive mark. There would also be the distinctive mark put by the official to whom the voter had sent his notice of selection, so that the register would show, not only who were plural voters, but also who were entitled to vote. It was the assistant overseer's duty to compile the register. Why should they not take the trouble to ask whether any given man was a plural voter or not? It was the assistant overseer's duty to find out a lot of particulars about a man and his house. He had to find out whether a man was an alien, whether he had made alterations in the house to the extent of £40 or £50 so that something should be put on his assessment, and a variety of other matters. If the assistant overseer was paid for this work why should he not do it, and make the Bill workable? He had calculated that in the county of Lancashire £20,000 would be saved on elections if the registers were complete in this respect. Putting a man on an inquiry of this kind would show the voter that there was something in the point and that he had better look into it. He did not know which of the three clauses on the Paper would carry out this proposition most effectively; he doubted whether any of them would be effectual, but they showed that the Bill was unworkable. Why should not the work be done by those who made up the lists to the extent, at all events, of the information that could be got and put upon the register? It would save an immense amount of money to everybody concerned in an election. He respectfully suggested that the right hon. Gentleman should give one of these clauses his consideration. The affect of adopting the clause would be that, in addition to the notice sent in, there would be a mass of other information on the register, such as the place in which a plural voter might vote and the places in which he might not. It was a fatal objection to the Bill that the right hon. Gentleman persistently refused to entertain any suggestions whatever which would enable the electors to preserve the great advantage which they had only acquired as the result of fifty years of legislation, namely, a complete register. He thought if the Government did not adopt some such Amendment the Bill would become a dead letter.

MR. T. L. CORBETT thought there was a growing feeling in all parts of the House that this was not only a very confused and complex but a very bad Bill. If the debate on the Report stage had been extended for a night or two more the Government would probably have seen the wisdom of withdrawing the Bill altogether. It was a thoroughly bad Bill.

MR. DEPUTY-SPEAKER: Will the hon. Gentleman please speak to the Amendment?

MR. T. L. CORBETT, continuing, said the one redeeming feature about the debate had been the wit and eloquence of the Minister in charge. He was very glad that the silence on the benches opposite had at last been broken by an hon. Member who, speaking with great knowledge, had appealed to the Government to give way upon this Amendment. What was the argument of the right hon. Gentleman? He objected to the overseer being made the authority because that would involve a personal canvass of the electors by the overseer. But did not the overseers send out every spring a circular to all ratepayers asking them to state how long they had occupied their house and other particulars; and would it not be the simplest thing in the world for the overseer to add to those inquiries the question—"Are you registered in any other constituency or are you not?" He desired to help the Government to reduce a very complex and confused Bill to something that the voter could really understand. The very simplest way in which to do that would be by that indicated in this Amendment.

MR. LANE-FOX thought no adequate reason as to why this work could not be done by the overseers had been given to the House, and he appealed to the right hon. Gentleman to reconsider the matter in view of the enormous advantage that would accrue. It was obvious that a register overloaded with dummy names must cause an infinite amount of trouble to those who had to correct it, and he appealed to the right hon. Gentleman not to make the labours of those who had to amend the register more burdensome than they need be. He was glad to gather from the remarks of the right hon. Member that the silence of hon. Gentlemen opposite was due to the generous spirit of the Government, who desired to give the Opposition during the short time at the disposal of the House an opportunity of expressing their views as fully as possible.

CAPTAIN CRAIG said everybody would, after the points that had been brought out, recognise the extreme importance of weeding out the register to the lowest point. The notices sent out at the present time by the county council clerks and town clerks could at all events cover one of the points raised by this Amendment. It was quite clear that some wrong was going to be done by the Act to a certain number of people entitled to vote, and the minimum of wrong would be done if these officials were allowed to make the register as plain as possible. A great deal of clearness would be undoubtedly attained if the suggestion of his hon. friend were carried out. If the right hon. Gentleman could be induced to do something to remedy the evil complained of it would be a gain. He thought the fact that there had been unanimity on this question during the debate should lead the right hon. Gentleman to accept the Amendment.

Question put.

The House divided:—Ayes, 62; Noes, 298. (Division List No. 442.)

AYES.

Acland-Hood, Rt.Hn.SirAlex.F
Anson, Sir William Reynell
Ashley, W. W.
Balcarres, Lord
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester
Beach, Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Bull, Sir William James
Burdett-Coutts, W.
Cave, George
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-

Chamberlain,Rt.Hn.J.A.(Worc
Corbett, A. Cameron (Glasgow)
Corbett, T. L. (Down, North)
Craig, Chas. Curtis (Antrim, S.)
Craig, Captain Jas. (Down, E.)
Douglas, Rt. Hon. A. Akers-
Duncan, Robt. (Lanark, Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Gardner, Ernest (Berks, East)
Gibbs, G. A. (Bristol, West)
Hervey,F.W.F.(BuryS.Edmds.
Houston, Robert Paterson
Kennaway, Rt.Hn.Sir John H.
Kimber, Sir Henry
Lane-Fox, G. R.
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Rt.Hn.Walter(Dublin,S.
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Moore, William
Nicholson, Wm. G. (Petersfield
Nield, Herbert
Pease, HerbertPike(Darlington
Powell, Sir Francis Sharp
Rasch, Sir Frederic Carne
Rawlinson, JohnFrederickPeel
Remnant, James Farquharson
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, Abel H.(Hertford, East)
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh,
Talbot, Lord E. (Chichester)
Thomson, W.Mitchell-(Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Warde, Col. C. E. (Kent, Mid)
Wolff, Gustav Wilhelm

TELLERS FOR THE AYES—Mr. Stanley Wilson and Mr. Courthope.

NOES.

Abraham, William (Rhondda)
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A.Acland (Christchurch)
Allen, Charles P. (Stroud)
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury, E.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow, JohnEmmott(Somers't
Barlow, Percy (Bedford)
Barnard, E. B.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beaumont,Hn.W.C.B.(Hexh'm
Beck, A. Cecil
Bellairs, Carlyon
Benn, Sir J.Williams(Devonp'rt
Benn, W.(T'w'rHamlets,S.Geo.
Berridge, T. H. D.
Bertram, Julius
Bethell, SirJ.H.(Essex,Romf'rd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Black, Arthur W.(Bedfordshire
Boland, John
Bolton, T.D.(Derbyshire, N.E.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stafford
Brunner, J.F.L. (Lancs., Leigh
Bryce, J.A. (Inverness Burghs)
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burns, Rt. Hon. John
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Causton,Rt.Hn.RichardKnight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Clough, William
Cobbold, Felix Thornley
Collins, SirWm.J.(S.Pancras,W
Condon, Thomas Joseph
Cooper, G. J.
Corbett,CH.(Sussex,E Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cox, Harold
Crean, Eugene
Crosfield, A. H.
Crossley, William J.
Dalziel, James Henry
Davies, David (MontgomeryCo.
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dobson, Thomas W.
Donelan, Captain A.
Duffy, William J.
Dunne,Major E.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Gurdon, Sir W. Brampton
Hall, Frederick
Halpin, J.
Harcourt, Rt. Hon. Lewis
Harmsworth, R.L.(Caithn'ss-sh
Hart-Davies, T.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen,W.)
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Hooper, A. G.
Hope, W.Bateman(Somerset,N
Howard, Hon. Geoffrey
Hyde, Clarendon
Idris, T. H. W.
Illingworth, Percy H.
Jenkins, J.
Johnson, John (Gateshead)
Jones, Sir D.Brynmor(Swansea
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
Kitson, Rt. Hon. Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George
Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lea, HughCecil(St.Pancras,E.)
Leese, SirJosephF.(Accrington)
Lever, A.Levy(Essex,Harwich

Lever, W. H. (Cheshire, Wirral)
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Macdonald, J.M.(Falkirk B'ghs
Mackarness, Frederic C.
Maclean, Donald
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G.Croydon (Launceston
Marnham, F. J.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morse, L. L.
Morton, Alpheus Cleophas
Myer, Horatio
Napier, T. B.
Nolan, Joseph
Norton, Capt. Cecil William
Nuttall, Harry
O'Brien, Kendal(TipperaryMid
O'Brien, Patrick Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas.(Roscommon, N.)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pirie, Duncan V.
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Robt. John (Norfolk, E.)
Priestley, Arthur (Grantham)
Priestley, W.E.B.(Bradford,E.
Rainy, A. Rolland
Raphael, Herbert H.
Redmond, John E. (Waterford)
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards, Thos. (W. Monm'th)
Richards, T. F. (Wolverh'mpt'n
Richardson, A.
Rickett, J. Compton
Roberts, Charles H. (Lincoln)
Roberts, John H. (Denbighs.)
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Samuel, Hebert L. (Cleveland)
Samuel, S. M. (Whitechapel)
Scott, A.H.(Ashton under Lyne
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T. (Hawick, B.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Stanger, H. Y.
Stewart-Smith, D. (Kendal)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Thomas, Sir A. (Glamorgan, E.
Thomas, David Alfred(Merthyr
Thompson,J.W.H.(Somerset,E.
Tillett, Louis John
Torrance, Sir A. M.
Toulmin, George
Ure, Alexander
Verney, F. W.
Wallace, Robert
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, W.Dudley(Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart (Orkney
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W.R.)
Wilson, J. H. (Middlesbrough
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord
Young, Samuel

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

MR. RAWLINSON (Cambridge University) moved a new clause providing that no nomination paper should be invalidated by the fact that the registered elector signing it was not entitled, by reason of the provisions of this Act, to vote in the constituency. Under the Bill a person disqualified to vote would be unable to nominate a candidate or present a petition against the return of a candidate. He thought that would cause a great deal of inconvenience and unnecessary expense, and it was an obvious defect in the Act. He noticed that the right hon. Gentleman had an Amendment down on Clause 4 dealing with this question, and he should like to have some assurance from him that it achieved the same object as he was anxious to provide for in his proposal. Of course if the right hon. Gentleman's Amendment covered the same ground he would withdraw his proposal.

MR. STANLEY WILSON seconded. He thought this was a clause which the Government ought to accept. It would be a great hardship if a nomination was rendered void on account of a man having signed it in error. The proposal of the Government on this point was a most complicated one.

New clause—

"No nomination paper shall be invalidated by the fact that the registered elector signing it is not entitled, by reason of the provisions of this Act, to vote in the constituency."—(*Mr. Rawlinson.*)—

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be read a second time."

MR. HARCOURT assured the hon. and learned Member that the Amendment he had placed on the Paper was intended to cover the point dealt with in his proposal. With that assurance he hoped this Amendment would be withdrawn.

MR. RAWLINSON asked leave to withdraw his clause.

Motion and clause, by leave, withdrawn.

SIR FREDERICK BANBURY moved the following new clause:—"Any clerk of the county council or town clerk who shall wilfully neglect to carry out the provisions of this Act or any part thereof, or who shall be wilfully guilty of any breach in the execution of this Act shall for every such offence be liable to pay, by way of fine, a sum of money not exceeding £5, nor less than 20s., to be imposed by, and at the discretion of, any barrister holding any Court for the revision of any list of the parish or township of any such clerk of the county council or town clerk." That was a very simple clause, and it provided a moderate penalty in case the clerk did not carry out the duties imposed upon him. They had been told that the overseers would be put in a very awkward position by the onerous duties imposed upon them. He would be the last person to impose onerous duties upon persons who were unable to carry them out, but it ought to be remembered that the Bill would impose a great deal of trouble and some heavy burdens upon a very deserving class, namely, plural voters. Unless some penalty of this sort was imposed it would be difficult to ensure that the town clerks or the clerks of the county council would carry out the duties placed upon them by the Bill. In view of the fact that the penalty was so small, and that it would only act as a reminder to those concerned that there was a penalty if they did not carry out their duties, he hoped the right hon. Gentleman would accept the clause.

MR. HARMOOD-BANNER, in seconding the Motion, said this new clause proposed to make the penalty for wilful breach of duty a fine not exceeding £5, nor less than 20s. The right hon. Gentleman in charge of the Bill wished to make the penalty £100. He felt in connection with this Bill that for some reason or other the right hon. Gentleman had got "penalties" on the brain. They owed a great debt of gratitude to the clerks of the county councils and to town clerks for the the manner in which they performed their duties, and the House ought not to impose penalties on them which would be unduly oppressive.

New Clause—

"Any clerk of the county council or town clerk who shall wilfully neglect to carry out the provisions of this Act or any part thereof or who shall be wilfully guilty of any breach in the execution of this Act shall for every such offence be liable to pay, by way of fine, a sum of money not exceeding £5, nor less than 20s., to be imposed by and at the discretion of any barrister holding any Court for the revision of any list of the parish or township of any such clerk of the county council or town clerk."—(*Sir Frederick Banbury.*)—

Brought up, and read the first time.

Motion made, and Question proposed, "That the clause be now read a second time."—(*Sir Frederick Banbury.*)

MR. HARCOURT said he had several times to-night begged the hon. Baronet the Member for the City of London to devote some of his rare moments of leisure to a more detailed consideration of the Amendments on the Paper. The new clause went on the assumption that he was not proposing to put a penalty into the Bill. The hon. Baronet had not devoted his mind sufficiently to the clause which applied to these matters. Members of this House were not going to be more squeamish than their forefathers in 1843 when they passed the Parliamentary Voters Act which imposed penalities on clerks for omission to perform certain duties. This was the only time he had departed from legislation by reference. If he had put in an Amendment imposing under this Bill the penalties provided for in the Act of 1843, he would have heard none of these complaints. The penalties under the Bill for the same class of offence were the some as those provided for in previous Acts of Parliament. Having taken that course, an hon. Member who was not acquainted with the previous Acts accused him of having "penalties" on the brain.

CAPTAIN CRAIG said there were one or two trifling alterations which he thought the hon. Baronet ought to make in the new clause. They were all agreed that where a person wilfully neglected to make a selection he should be open to penalties. The revising barrister had duties to perform which did not syncronise with those of a county council clerk or town clerk. He thought the right hon. Gentleman made a mistake in making the appeal to the revising barrister. He should have chosen a court of summary jurisdiction. This clause was one which inflicted penalties for the non-performance of a statutory duty, and required the most watchful care of every Member of the House.

And, it being half-past Ten of the clock, Mr. Speaker proceeded, pursuant to the Order of the House of the 26th November, to put forthwith the Question necessary to dispose of the clause already proposed from the Chair.

Question put, "That the clause be read a second time."

The House divided:—Ayes, 80; Noes, 346. (Division List No. 443.)

AYES.

Anson, Sir William Renyell
Arkwright, John Stanhope
Ashley, W. W.
Balfour, Rt.Hn.A.J.(CityLond.
Banbury, Sir Frederick George
Banner, John S. Harmood-
Baring, Hon. Guy (Winchester)
Beach, Hn.Michael Hugh Hicks
Beckett, Hon. Gervase
Bowles, G. Stewart
Boyle, Sir Edward
Bridgeman, W. Clive
Bull, Sir William James
Burdett-Coutts, W.
Butcher, Samuel Henry
Cave, George
Cavendish, Rt.Hn. Victor C.W.
Cecil, Evelyn (Aston Manor)
Cecil, Lord John P. Joicey-
Chamberlain,Rt.Hn.J.A.(Wor.)
Cochrane, Hon. Thos. H. A. E.
Corbett, A. Cameron (Glasgow)
Corbett, T. L. (Down, North)
Courthope, G. Loyd
Craig, Chas. Curtis (Antrim, S.)
Craig, Capt. James (Down, E.)
Craik, Sir Henry
Douglas, Rt. Hon. A. Akers-
Duncan, Robert(Lanark,Govan
Faber, George Denison (York)
Fardell, Sir T. George
Fell, Arthur
Finch, Rt. Hon. George H.
Fletcher, J. S.
Gibbs, G. A. (Bristol, West)
Hay, Hon. Claude George
Hervey,F.W.F. (BuryS.Edm'ds
Hill, Sir Clement (Shrewsbury)
Hills, J. W.
Houston, Robert Paterson
Kennaway, Rt. Hn.Sir John H.
Kenyon-Slaney, Rt. Hn. Col. W
Keswick, William
Kimber, Sir Henry
Lane-Fox, G. R.
Law, Andrew Bonar (Dulwich)
Lockwood, Rt.Hn.Lt.-Col.A.R.
Long, Rt.Hn.Walter(Dublin,S.
Lowe, Sir Francis William
Magnus, Sir Philip
Marks, H. H. (Kent)
Mason, James F. (Windsor)
Meysey-Thompson, E. C.
Moore, William
Morpeth, Viscount
Nicholson, Wm. G. (Petersfield
Nield, Herbert

Parker, Sir Gilbert (Gravesend)
Pease, HerbertPike(Darlingt'n
Powell, Sir Francis Sharp
Rawlinson,John Frederick Peel
Remnant, James Farquharson
Rutherford, John (Lancashire)
Rutherford, W. W. (Liverpool)
Salter, Arthur Clavell
Scott, Sir S. (Marylebone, W.)
Smith, AbelH.(Hertford, East)
Smith, Hon. W. F. D. (Strand)
Starkey, John R.
Staveley-Hill, Henry (Staff'sh.
Talbot, Lord E. (Chichester)
Talbot, Rt.Hn.J.G.(Oxf'dUniv.
Thomson, W. Mitchell-(Lanark)
Thornton, Percy M.
Tuke, Sir John Batty
Warde, Col. C. E. (Kent, Mid)
Williams, Col. R. (Dorset, W.)
Wilson, A. Stanley(York, E.R.)
Wolff, Gustav Wilhelm
Wortley, Rt. Hn. C. B. Stuart-

TELLERS FOR THE AYES—Sir Alexander Acland-Hood and Lord Balcarres.

NOES.

Abraham, William (Rhondda)
Acland, Francis Dyke
Agnew, George William
Ainsworth, John Stirling
Alden, Percy
Allen, A. Acland(Christchurch)
Allen, Charles P. (Stroud)
Ambrose, Robert
Armstrong, W. C. Heaton
Ashton, Thomas Gair
Asquith, Rt.Hn.Herbert Henry
Astbury, John Meir
Baker, Sir John (Portsmouth)
Baker, Joseph A. (Finsbury,E.
Balfour, Robert (Lanark)
Baring, Godfrey (Isle of Wight)
Barker, John
Barlow,JohnEmmott(Somerset
Barlow, Percy (Bedford)
Barnard, E. B.
Barnes, G. N.
Barran, Rowland Hirst
Beale, W. P.
Beauchamp, E.
Beck, A. Cecil
Bellairs, Carlyon
Benn, SirJ.Williams(Devonp'rt
Benn, W.(T'w'rHamlets,S.Geo.
Berridge, T. H. D.
Bertram, Julius
Bethell,SirJ.H.(Essex,Romf'd
Bethell, T. R. (Essex, Maldon)
Billson, Alfred
Birrell, Rt. Hon. Augustine
Black,ArthurW.(Bedfordsh're
Boland, John
Bolton, T. D. (Derbyshire,N.E.
Brace, William
Bramsdon, T. A.
Branch, James
Brigg, John
Bright, J. A.
Brocklehurst, W. B.
Brooke, Stopford
Brunner, J.F.L.(Lancs., Leigh)
Brunner, RtHn.SirJ.T.(Chesh.)
Bryce, Rt.Hn.James(Aberdeen
Bryce, J. A. (Inverness Burghs
Buchanan, Thomas Ryburn
Buckmaster, Stanley O.
Burke, E. Haviland-
Burnyeat, W. J. D.
Burt, Rt. Hon. Thomas
Buxton, Rt. Hn. Sydney Chas.
Byles, William Pollard
Causton,Rt.Hn.RichardKnight
Cawley, Sir Frederick
Chance, Frederick William
Channing, Sir Francis Allston
Cheetham, John Frederick
Cherry, Rt. Hon. R. R.
Clarke, C. Goddard
Cleland, J. W.
Clough, William
Cobbold, Felix Thornley
Collins, Sir Wm.J.(S.Pancras,W
Condon, Thomas Joseph
Cooper, G. J.
Corbett, C.H(Sussex,E.Grinst'd
Cornwall, Sir Edwin A.
Cotton, Sir H. J. S.
Cowan, W. H.
Craig, Herbert J. (Tynemouth)
Crean, Eugene
Crombie, John William
Crosfield, A. H.
Crossley, William J.
Dalziel, James Henry
Davies, David(MontgomeryCo.
Davies, Ellis William (Eifion)
Davies, M. Vaughan-(Cardigan
Davies, Timothy (Fulham)
Davies, W. Howell (Bristol, S.)
Dewar, Arthur (Edinburgh, S.)
Dickson-Poynder, Sir John P.
Dilke, Rt. Hon. Sir Charles
Dillon, John
Dobson, Thomas W.
Donelan, Captain A.
Duffy, Wiliam J.
Dunn, A. Edward (Camborne)
Dunne, MajorE.Martin(Walsall
Edwards, Clement (Denbigh)
Edwards, Enoch (Hanley)
Edwards, Frank (Radnor)
Elibank, Master of
Ellis, Rt. Hon. John Edward
Erskine, David C.
Esmonde, Sir Thomas
Essex, R. W.
Evans, Samuel T.
Eve, Harry Trelawney
Everett, R. Lacey
Fenwick, Charles
Ferens, T. R.
Fiennes, Hon. Eustace
Findlay, Alexander
Flynn, James Christopher
Foster, Rt. Hon. Sir Walter
Freeman-Thomas, Freeman
Fuller, John Michael F.
Fullerton, Hugh
Gibb, James (Harrow)
Gill, A. H.
Ginnell, L.
Gladstone Rt.Hn.HerbertJohn
Glendinning, R. G.
Glover, Thomas
Goddard, Daniel Ford
Gooch, George Peabody
Greenwood, G. (Peterborough)
Grey, Rt. Hon. Sir Edward
Griffith, Ellis J.
Guest, Hon. Ivor Churchill
Gulland, John W.
Gurdon, Sir W. Brampton
Haldane, Rt. Hon. Richard B.
Hall, Frederick
Harcourt, Rt. Hon. Lewis
Hardie, J.Keir(MerthyrTydvil)
Hardy, George A. (Suffolk)
Harmsworth, R.L.(Caithn'ss-sh
Hart-Davies, T.
Haslam, James (Derbyshire)
Haslam, Lewis (Monmouth)
Haworth, Arthur A.
Hayden, John Patrick
Hazel, Dr. A. E.
Hedges, A. Paget
Helme, Norval Watson
Hemmerde, Edward George
Henderson, Arthur (Durham)
Henderson, J.M.(Aberdeen, W.
Herbert, Col. Ivor (Mon., S.)
Herbert, T. Arnold (Wycombe)
Higham, John Sharp
Hobart, Sir Robert
Hodge, John
Hogan, Michael
Holland, Sir William Henry
Hooper, A. G.
Hope, W.Bateman(Somerset,N
Howard, Hon. Geoffrey
Hudson, Walter
Hyde, Clarendon
Illingworth, Percy H.
Jardine, Sir J.
Jenkins, J.
Johnson, John (Gateshead)
Johnson, W. (Nuneaton)
Jones, SirD.Brynmor(Swansea)
Jones, Leif (Appleby)
Jowett, F. W.
Joyce, Michael
Kearley, Hudson E.
Kekewich, Sir George
Kelley, George D.
Kennedy, Vincent Paul
Kincaid-Smith, Captain
Kitson, Rt. Hon Sir James
Laidlaw, Robert
Lamb, Edmund G. (Leominster
Lamb, Ernest H. (Rochester)
Lambert, George

Lamont, Norman
Law, Hugh A. (Donegal, W.)
Layland-Barratt, Francis
Lea, HughCecil(St.Pancras, E.)
Leese, Sir JosephF.(Accrington
Lever, A.Levy(Essex,Harwich)
Lever, W. H. (Cheshire,Wirral)
Levy, Maurice
Lewis, John Herbert
Lloyd-George, Rt. Hon. David
Lough, Thomas
Lundon, W.
Lupton, Arnold
Luttrell, Hugh Fownes
Lyell, Charles Henry
Lynch, H. B.
Mackarness, Frederic C.
Maclean, Donald
Macnamara, Dr. Thomas J.
MacNeill, John Gordon Swift
MacVeagh, Jeremiah (Down, S.
MacVeigh, Chas. (Donegal, E.)
M'Callum, John M.
M'Crae, George
M'Hugh, Patrick A.
M'Kenna, Reginald
M'Killop, W.
M'Laren, Sir C. B. (Leicester)
M'Laren, H. D. (Stafford, W.)
M'Micking, Major G.
Mallet, Charles E.
Manfield, Harry (Northants)
Marks, G.Croydon(Launceston
Marnham, F. J.
Massie, J.
Meagher, Michael
Menzies, Walter
Micklem, Nathaniel
Molteno, Percy Alport
Montagu, E. S.
Mooney, J. J.
Morgan, G. Hay (Cornwall)
Morrell, Philip
Morse, L. L.
Morton, Alpheus Cleophas
Myer, Horatio
Napier, T. B.
Newnes, Sir George (Swansea)
Nolan, Joseph
Norton, Capt. Cecil William
Nussey, Thomas Willans
Nuttall, Harry
O'Brien, Kendal(TipperaryMd
O'Brien, Patrick (Kilkenny)
O'Connor, John (Kildare, N.)
O'Doherty, Philip
O'Donnell, C. J. (Walworth)
O'Donnell, John (Mayo, S.)
O'Dowd, John
O'Hare, Patrick
O'Kelly, Conor (Mayo, N.)
O'Kelly, Jas. (Roscommon, N.)
O'Malley, William
O'Mara, James
O'Shaughnessy, P. J.
Parker, James (Halifax)
Paul, Herbert
Paulton, James Mellor
Pearce, Robert (Staffs. Leek)
Pearce, William (Limehouse)
Pearson, W.H.M.(Suffolk, Eye)
Pickersgill, Edward Hare
Pirie, Duncan V.
Pollard, Dr.
Power, Patrick Joseph
Price, C. E. (Edinb'gh, Central)
Price, Robert John(Norfolk,E.)
Priestley, Arthur (Grantham)
Priestley, W.E.B.(Bradford,E.
Radford, G. H.
Rainy, A. Rolland
Raphael, Herbert H.
Redmond, John E. (Waterford
Redmond, William (Clare)
Rees, J. D.
Rendall, Athelstan
Renton, Major Leslie
Richards, Thomas (W.Monm'th
Richards, T. F. (Wolverh'mptn
Richardson, A.
Rickett, J. Compton
Roberts, Charles H. (Lincoln)
Roberts, John H. (Denbighs.)
Robertson, SirG.Scott(Bradf'rd
Robertson, J. M. (Tyneside)
Robinson, S.
Robson, Sir William Snowdon
Rogers, F. E. Newman
Rose, Charles Day
Rowlands, J.
Runciman, Walter
Rutherford, V. H. (Brentford)
Samuel, Herbert L.(Cleveland)
Samuel, S. M. (Whitechapel)
Schwann, C. Duncan (Hyde)
Schwann, Sir C.E.(Manchester)
Scott, A.H.(Ashton under Lyne
Sears, J. E.
Seaverns, J. H.
Seddon, J.
Seely, Major J. B.
Shaw, Rt. Hon. T. (HawickB.)
Shipman, Dr. John G.
Silcock, Thomas Ball
Simon, John Allsebrook
Sinclair, Rt. Hon. John
Sloan, Thomas Henry
Smeaton, Donald Mackenzie
Soames, Arthur Wellesley
Spicer, Sir Albert
Stanger, H. Y.
Stanley, Hn.A.Lyulph(Chesh.)
Stewart-Smith, D. (Kendal)
Straus, B. S. (Mile End)
Sullivan, Donal
Summerbell, T.
Taylor, John W. (Durham)
Taylor, Theodore C. (Radcliffe)
Tennant, H. J. (Berwickshire)
Thomas, Sir A. (Glamorgan,E.)
Thomas, David Alfred(Merthyr
Thomasson, Franklin
Thompson, J.W.H.(Somerset,E
Torrance, Sir A. M.
Toulmin, George
Trevelyan, Charles Philips
Ure, Alexander
Verney, F. W.
Wallace, Robert
Walsh, Stephen
Walters, John Tudor
Walton, Sir John L. (Leeds, S.)
Walton, Joseph (Barnsley)
Ward, John (Stoke upon Trent
Ward,W.Dudley(Southampton
Wardle, George J.
Wason, Eugene (Clackmannan)
Wason, John Cathcart(Orkney)
Waterlow, D. S.
Watt, H. Anderson
Wedgwood, Josiah C.
Whitbread, Howard
White, George (Norfolk)
White, J. D. (Dumbartonshire)
White, Luke (York, E. R.)
White, Patrick (Meath, North)
Whitehead, Rowland
Whitley, J. H. (Halifax)
Wiles, Thomas
Williams, J. (Glamorgan)
Williams, Osmond (Merioneth)
Williamson, A.
Wills, Arthur Walters
Wilson, Henry J. (York, W. R.)
Wilson, J. H. (Middlesborough)
Wilson, P. W. (St. Pancras, S.)
Wilson, W. T. (Westhoughton)
Winfrey, R.
Wodehouse, Lord
Wood, T. M'Kinnon
Young, Samuel

TELLERS FOR THE NOES—Mr. Whiteley and Mr. J. A. Pease.

Motion made, and Question, "That further consideration of the Bill, as amended, be now adjourned,"—(*Mr. Whiteley,*)—put, and agreed to.

Bill, as amended, to be further considered To-morrow.

ADJOURNMENT.

Motion made, and Question, "That this House do now adjourn,"—(*Mr. Whiteley*)—put, and agreed to.

Adjourned accordingly at twenty minutes before Eleven o'clock.

APPENDIX I.

PUBLIC BILLS

DEALT WITH IN VOLUME CLXV.

Those marked thus * are Government Bills. The figures in parentheses in the last column refer to the page in this volume. "[H.L.]" following title indicates that the Bill originated in the House of Lords.

(A.) House of Lords.

Title of Bill.	Brought in by	Progress.
*Education (England and Wales)	*Earl of Crewe*	Committee 15th Nov. (5) (54) Committee 19th Nov. (296) Committee 20th Nov. (502) Committee 21st Nov. (720) Committee 22nd Nov. (941)
*Land Tenure	*Earl Carrington*	Read 1^a 26th Nov. (1188)
*Merchant Shipping Acts Amendment (No. 2)	*Earl of Granard*	Read 1^a 22nd Nov. (962) Read 2^a 27th Nov. (1350)

(B.) House of Commons.

Title of Bill.	Brought in by	Progress.
*Bond Investment Companies	*Mr. Kearley*	Bill withdrawn 26th Nov. (1348)
*Burials	*Mr. John Burns*	Read 1^o 27th Nov. (1451)
*Census of Production	*Mr. Lloyd-George*	Report 22nd Nov. (1071)
*Land Tenure	*Mr. Agar Robartes*	Read 3^o and passed 23rd Nov. (1120)
*Merchant Shipping Acts Amendment (No. 2)	*Mr. Lloyd-George*	Report 15th Nov. (130) Report 16th Nov. (226) Read 3^o and passed 22nd Nov. (1034)

Title of Bill.	Brought in by	Progress.
*Naval Prize [H.L.]	*Mr. E. Robertson*	Bill withdrawn 26th Nov. (1347)
*Plural Voting	*Mr. Harcourt*	Report 26th Nov. (1299) Report 27th Nov (1451)
*Supply of Electricity	*Mr. Kearley*	Read 1° 20th Nov. (633)
*Town Tenants (Ireland)	*Mr. McKillop*	Report 19th Nov. (414) Report 20th Nov. (633) Report 21st Nov. (846)

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TO THE

PARLIAMENTARY DEBATES

[AUTHORISED EDITION].

FOURTEENTH VOLUME OF SESSION 1906.

NOVEMBER 15—*NOVEMBER* 27.

EXPLANATION OF ARRANGEMENT AND ABBREVIATIONS.

Bills: Read First, Second, or Third Time = 1R., 2R., 3R. [*c.*] = Commons. [*l.*] = Lords *Amendt.* = Amendment. *Os.* = Observations. *Qs.* = Questions. *As.* = Answers. *Com.* = Committee. *Con.* = Consideration. *Rep.* = Report.

Where in the Index * is added with Reading of a Bill, or a Vote in Committee of Supply, it indicates that no Debate took place on that Stage of the Bill, or on that Vote.

Subjects discussed in Committee of Supply are entered under their headings, and also under Members' Names, without reference to the actual Vote before the Committee.

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- Glenville Estate Untenanted Lands, purchase of, proposed, *Nov. 19*, 411.

Acland-Hood, Rt. Hon. Sir A. [Somersetshire, Wellington]
- Business of the House, Course of, *Nov. 21*, 845, 846.
- House of Commons—Accommodation for Strangers under the Reporters' Gallery—Right of Members to Seats, *Nov. 22*, 1095, 1096.
- Transvaal Chinese Labour, Charges of Immorality against — Confidential Nature of Mr. Bucknill's Report, *Nov. 19*, 393.

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- Dahla, Reason for withdrawal of Troops from.
  - *Q.* Mr. C. Wilson; *A.* Mr. Morley, *Nov. 26*, 1216, 1217.

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- *Financial Secretary*—Right Hon. E. Robertson
- Accountant Clerks, Conditions of Employment of.
  - *Q.* Mr. Cleland; *A.* Mr. E. Robertson, *Nov. 15*, 83.
- Instructions Issued to Captains of Merchant Vessels in Case of War—Penalties for divulging by Alien Officers, etc.
  - *Os.* Lord Ellenborough, *Nov. 26*, 1178; Lord Tweedmouth, 1178, 1179.

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- Yola to Lake Chad—Agreement as to British and German Boundaries, presented, *Nov. 27*, 1349, 1391.

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- Portuguese—Native Labour Recruitment for Transvaal Mines, Facilities afforded to Robinson Group, etc.
  - *Os.* Lord Harris, *Nov. 26*, 1179–1184, 1188; Earl of Elgin, 1184–1187.
  - *Qs.* Mr. Mackarness; *As.* Sir E. Grey, *Nov. 15*, 95, 96; *Nov. 22*, 1008.
  - *Qs.* Mr. Mackarness; Mr. Lyttelton; *As.* Mr. Churchill, *Nov. 27*, 1418–1420.

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Portuguese—Native Labour, &c.—*cont.*
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Q. Sir H. Cotton; *A.* Mr. Churchill, *Nov. 22*, 994.
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Government Policy, etc.
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Qs. Sir G. Parker, Mr. Lyttelton; *As.* Sir H. Campbell Bannerman, *Nov. 26*, 1251, 1252.
Ridgway Report, Tabling of, proposed.
Qs. Sir G. Parker; *As.* Sir H. Campbell-Bannerman, *Nov. 26*, 1250, 1251.
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